

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

FORTY-FIRST DAY'S PROCEEDINGS

**Thirty-second Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, June 8, 2006

The House of Representatives was called to order at 1:30 P.M., by the Honorable Joe R. Salter, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre
Badon	Gray	Powell, M.
Baldone	Greene	Powell, T.
Barrow	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Harris	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.
Carter, K.	Hunter	Smith, J.D.—50th
Carter, R.	Hutter	Smith, J.H.—8th
Cazayoux	Jackson	Smith, J.R.—30th
Chandler	Jefferson	St. Germain
Crane	Johns	Strain
Cravins	Katz	Thompson
Crowe	Kenney	Toomy
Curtis	Kleckley	Townsend
Damico	LaBruzzo	Trahan
Daniel	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walker
Dove	Marchand	Walsworth
Downs	Martiny	White

Durand
Erdey
Fannin
Farrar
Total - 103

McDonald
McVea
Montgomery
Morrell

Winston
Wooton

ABSENT

Dartez
Total - 2

Kennard

The Speaker announced that there were 103 members present and a quorum.

Prayer

Prayer was offered by Rev. Eugene Gullett.

Pledge of Allegiance

Rep. Karen Carter led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Frith, the reading of the Journal was dispensed with.

On motion of Rep. Michael Powell, and under a suspension of the rules, the Journal of June 7, 2006, was corrected to reflect him as voting yea on final passage of House Bill No. 109.

On motion of Rep. Alexander, and under a suspension of the rules, the Journal of June 7, 2006, was corrected to reflect him as voting nay on the concurrence of the amendments proposed by the Senate to House Bill No. 909.

On motion of Rep. Beard, and under a suspension of the rules, the Journal of June 7, 2006, was corrected to reflect him as voting nay on final passage of House Bill No. 173.

On motion of Rep. McVea, the Journal of June 7, 2006, was adopted.

**Petitions, Memorials and
Communications**

The following petitions, memorials, and communications were received and read:

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 7, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 824: Senators Malone, N. Gautreaux, and Romero.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE BILLS

June 8, 2006

Page 2 HOUSE

41st Day's Proceedings - June 8, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 1175
Returned with amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

June 8, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 115

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

House and House Concurrent Resolutions

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 281— BY REPRESENTATIVE HAMMETT AND SENATOR MICHOT A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to review the provisions of law regarding criminal trespass as they relate to professional land surveyors and make recommendations to the Louisiana Legislature prior to the 2008 Regular Session.

Read by title.

Motion

On motion of Rep. Baldone, the resolution was returned to the calendar.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 111— BY SENATOR HINES A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study the issuance of Advance Directive Bracelets in addition to Do Not Resuscitate Bracelets to qualified patients with input from various organizations and associations.

Read by title.

On motion of Rep. Durand, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 123— BY SENATOR BAJOE

A CONCURRENT RESOLUTION

To urge and request that the Department of Health and Hospitals, along with other appropriate state agencies, collaborate with various health organizations to increase awareness of the negative impact of diabetes.

Read by title.

On motion of Rep. Karen Carter, and under a suspension of the rules, the resolution was concurred in.

Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 486— BY SENATOR JACKSON

AN ACT

To enact R.S. 39:2(49) and 36(A)(6), relative to the contents and format of the executive budget; to provide for certain comparative statements; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

SENATE BILL NO. 754 (Substitute of Senate Bill No. 100 by Senator Cravins)— BY SENATOR CRAVINS

AN ACT

To enact Part II-H of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.41 through 2120.47, relative to adult day health care providers; to provide for purpose; to provide for definitions; to provide for licensure; to provide for rules, regulations, and licensing standards; to provide for license issuance, application, and onsite inspections; to provide for penalties; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 660— BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 47:1709, 1952(C) and 1954, relative to ad valorem taxes; to eliminate ad valorem property tax on the premiums on and credit assessments related to any type or kind of insurance company; and to provide for related matters.

Called from the calendar.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

House and House Concurrent Resolutions Reported by Committee

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 231—
BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To direct the secretary of the Department of Health and Hospitals (DHH) to develop and implement a statewide pharmacy access program to increase access to prescription drugs by our underinsured and uninsured citizens.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Durand, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 246—
BY REPRESENTATIVES MORRISH AND STRAIN

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to promptly transfer state general funds to the LSU School of Veterinary Medicine for arbovirus testing.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Durand, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 258—
BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To create the Health Services Recovery Council to coordinate its efforts with other hurricane recovery entities, including the Louisiana Recovery Authority task forces and the Louisiana Health Care Redesign Collaborative, to ensure that the council's activities and the implementation of local recovery plans are consistent with the state's long-term recovery principles.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Durand, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 259—
BY REPRESENTATIVE DURAND AND SENATOR JACKSON

A CONCURRENT RESOLUTION

To reestablish the framework for regional health care consortiums created pursuant to Senate Concurrent Resolution No. 95 of the 2004 Regular Session.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Durand, the resolution was ordered engrossed and passed to its third reading.

**Senate Concurrent Resolutions
Reported by Committee**

The following Senate Concurrent Resolutions reported by committee were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 6—
BY SENATOR JONES

A CONCURRENT RESOLUTION

To create a task force to identify and locate displaced Louisiana citizens and to aid in their return to Louisiana.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Concurrent Resolution No. 6 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and delete line 3 and insert the following:

"request the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs to meet and function as a joint committee to study the issues related to how to identify and locate displaced Louisiana citizens, how to communicate with such citizens, and what proposals or actions may aid in their return to Louisiana."

AMENDMENT NO. 2

On page 1, line 13, change "create a task force to gather" to "provide a potential means for gathering"

AMENDMENT NO. 3

On page 1, line 18, after "Louisiana" delete the remainder of the line and on Page 2, delete line 1 and insert the following:

"does hereby request the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs to meet and function as a joint committee to study the issues related to how to identify and locate displaced Louisiana citizens, how to communicate with such citizens, and what proposals or actions may aid in their return to Louisiana."

AMENDMENT NO. 4

On page 2, line 2, after "that the" delete the remainder of the line and insert "joint committee shall specifically solicit the input, recommendations, and advice of the following:"

AMENDMENT NO. 5

On page 2, delete lines 5 through 27, and insert the following:

"(3) One representative of the Louisiana Recovery Authority appointed by the governor.

(4) One representative of the Bring New Orleans Back Commission appointed by the chairman or co-chairs.

(5) The president of the League of Women Voters of Louisiana, or her designee.

(6) One representative of the Louisiana Family Recovery Corps appointed by the chairman, subject to approval by the board of directors."

Page 4 HOUSE

41st Day's Proceedings - June 8, 2006

AMENDMENT NO. 6

On page 2, line 28, after "that the" delete the remainder of the line and delete lines 29 and 30, and on page 3, line 1, delete "quarterly." and insert the following:

"joint committee shall report the results of its study to the Louisiana Legislature by March 1, 2007."

AMENDMENT NO. 7

On page 3, line 4, after "Women Voters" insert a comma ","

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the resolution, as amended, was ordered passed to its third reading.

SENATE CONCURRENT RESOLUTION NO. 20—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Environmental Quality and the House Committee on the Environment to meet and function as a joint committee to study and make recommendations regarding recycling and disposal options relative to computers and other electronic equipment.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the resolution was ordered passed to its third reading.

SENATE CONCURRENT RESOLUTION NO. 38—

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To establish the Louisiana Virtual Library Group to study and make recommendations regarding creating the Louisiana Virtual Library Council as a state entity and to require such group to make recommendations regarding such creation.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Concurrent Resolution No. 38 by Senator Broome

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and delete lines 3 and 4 and insert the following:

"urge and request the Senate Committee on Education and the House Committee on Education to meet and function as a joint committee to study and make recommendations regarding the advisability and feasibility of creating the Louisiana Virtual Library Council as a state entity and of providing for an integrated information system which provides access to a virtual library system through a single universal portal."

AMENDMENT NO. 2

On page 1, line 5, after "WHEREAS, it is" delete the remainder of the line delete lines 6 through 14 and insert the following:

"desirable that citizens have easy access to newspapers, magazines, encyclopedias, journals, and other essential sources of information; and

WHEREAS, it is important that students have access to information in a consistent format to advance their studies and research at school, home, or public libraries; and"

AMENDMENT NO. 3

On page 2, delete lines 11 through 16 and insert the following:

"WHEREAS, currently multiple agencies provide extensive resources to the citizens, faculty, teachers, and students of this state and the state has multiple information database subscriptions and, if desirable, it may be possible to consolidate such services and subscriptions into a unitary site accessed through a single universal Internet portal in a manner which provides access to a virtual library system capable of statewide utilization by citizens and students in an age appropriate format."

AMENDMENT NO. 4

On page 2, delete lines 18 through 23 and insert the following:

"urge and request the Senate Committee on Education and the House Committee on Education to meet and function as a joint committee to study and make recommendations regarding the advisability and feasibility of creating the Louisiana Virtual Library Council as a state entity and of providing for an integrated information system which provides access to a virtual library system through a single universal portal.

BE IT FURTHER RESOLVED that the joint committee shall specifically solicit the input, recommendations, and advice of the following:"

AMENDMENT NO. 5

On page 3, delete lines 10 through 23 and insert the following:

"(11) The law librarian of the Huey P. Long Memorial Law Library.

(12) The director of the David R. Poynter Legislative Research Library.

BE IT FURTHER RESOLVED that the joint committee shall report its findings to the legislature no later than March 1, 2007."

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the resolution, as amended, was ordered passed to its third reading.

SENATE CONCURRENT RESOLUTION NO. 61—

BY SENATOR CAIN

A CONCURRENT RESOLUTION

To direct the governor to have lowered the United States and Louisiana flags flying over the State Capitol Building to half-staff in observance of the death of each state resident in the armed forces of the United States who is killed in war.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

On motion of Rep. Lancaster, the resolution was ordered passed to its third reading.

SENATE CONCURRENT RESOLUTION NO. 99—
BY SENATOR BAIJOIE

A CONCURRENT RESOLUTION

To urge and request the United States Department of Veterans Affairs and the Louisiana State University Health Care Services Division to execute to the fullest the terms established in the February 23, 2006 Memorandum of Understanding.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Durand, the resolution was ordered passed to its third reading.

**Senate Instruments on Second Reading
Returned from the Legislative Bureau**

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

SENATE BILL NO. 10—
BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 14:35.3(F)(2), (I), and (K), relative to penalties for the crime of domestic abuse battery; to provide for enhancement of penalties under certain circumstances; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 30—

BY SENATORS MCPHERSON, BARHAM, BOASSO, CHEEK, DUPRE, MALONE, MICHOT AND MURRAY AND REPRESENTATIVES BALDONE, BAUDON, DURAND, FARRAR, FRITH, M. GUILLORY, HEBERT, HILL, GARY SMITH, JACK SMITH, JOHN SMITH, ST. GERMAIN, THOMPSON, TOWNSEND AND WALKER

AN ACT

To enact R.S. 41:16 and R.S. 56:109.2, relative to public lands, wildlife management areas, wildlife refuges, public hunting grounds and recreation areas; to provide for no net loss of acreage of certain public lands, wildlife management areas, wildlife refuges, public hunting grounds and recreation areas that are available for public hunting and fishing; to require an annual report of public lands, wildlife management areas, wildlife refuges, public hunting grounds and recreation areas that are available for public hunting and fishing; to provide definitions, terms, conditions and procedures; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Reengrossed Senate Bill No. 30 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 3, after "provide" delete the remainder of the line and delete lines 4 and 5 in their entirety and insert "that hunting and fishing opportunities be a primary consideration in state land management decisions;"

AMENDMENT NO. 2

On page 1, line 6, delete "fishing;"

AMENDMENT NO. 3

On page 1, delete line 8, and insert in lieu thereof the following:

"public hunting, fishing, and recreational opportunities;"

AMENDMENT NO. 4

On page 1, delete line 12 in its entirety and insert in lieu thereof the following:

"§16. Preservation of public lands for hunting, fishing, and recreational opportunities"

AMENDMENT NO. 5

On page 1, line 14, delete "recreational" and at the end of the line change "and" to a comma ","

AMENDMENT NO. 6

On page 1, line 15, after "fishing" insert a comma "," and "and recreational"

AMENDMENT NO. 7

On page 1, line 16, change "hunting and fishing" to "hunting, fishing, and recreational opportunities"

AMENDMENT NO. 8

On page 1, line 17, change "recreational hunting and fishing" to "hunting, fishing, and recreational"

AMENDMENT NO. 9

On page 2, at the end of line 1, delete "and" and delete lines 2 through 4 in their entirety and insert in lieu thereof "based on criteria that include public hunting, fishing, and recreational opportunities as a primary consideration."

AMENDMENT NO. 10

On page 2, line 7, delete "the following" and delete line 8 and insert "a listing of all"

AMENDMENT NO. 11

On page 2, line 9, delete "(1) The" and change "had been" to "is"

AMENDMENT NO. 12

On page 2, delete lines 10 through 16 in their entirety and insert in lieu thereof "for public hunting, fishing, and recreational opportunities and a listing of all acreage that was lost or gained for such purposes."

Page 6 HOUSE

41st Day's Proceedings - June 8, 2006

AMENDMENT NO. 13

On page 2, line 18, change "No net loss" to "Preservation"

AMENDMENT NO. 14

On page 2, line 22, delete "recreational hunting" and on line 23, delete "and fishing" and insert "hunting, fishing, and recreational"

AMENDMENT NO. 15

On page 2, line 24, change "hunting and fishing" to "hunting, fishing, and recreational opportunities"

AMENDMENT NO. 16

On page 2, line 26, change "recreational hunting and fishing" to "hunting, fishing, and recreational"

AMENDMENT NO. 17

On page 2, at the end of line 27, delete "and" and delete lines 28 and 29 in their entirety and on page 3, delete lines 1 through 4 in their entirety and insert in lieu thereof "based on criteria that include public hunting, fishing, and recreational opportunities as a primary consideration."

AMENDMENT NO. 18

On page 3, at the end of line 7, delete "the following" and delete line 8 in its entirety and insert "a listing of all"

AMENDMENT NO. 19

On page 3, line 9, delete "(1) The" and on line 10, change "had been" to "is"

AMENDMENT NO. 20

On page 3, line 10, change "recreational hunting and fishing" to "hunting, fishing, and recreational opportunities"

AMENDMENT NO. 21

On page 3, delete lines 11 through 18 in their entirety and insert in lieu thereof "and a listing of all acreage that was lost or gained for such purposes."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pierre, the amendments were adopted.

On motion of Rep. Pierre, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 111—

BY SENATOR NEVERS

AN ACT

To enact R.S. 17:263, relative to secondary education curricula; to provide relative to required courses of study; to require certain topics to be included in certain courses of study; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Crane, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 141—

BY SENATORS DUPLESSIS, BOASSO, QUINN AND SHEPHERD

A JOINT RESOLUTION

Proposing to amend Article VII, Section 24 of the Constitution of Louisiana, to provide for a single tax assessor in Orleans Parish; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Badon, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 338—

BY SENATOR AMEDEE

AN ACT

To amend and reenact R.S. 13:4207, relative to judges; to provide relative to rendition of judgments; to provide relative to oral judgment in open court; to require written judgments when oral reasons for judgment are not rendered; to provide for an extension of such time limits under certain circumstances; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 338 by Senator Amedee

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 13:4207" and before the comma "," insert "and 4611(1)(b)"

AMENDMENT NO. 2

On page 1, line 2, after "relative to" and before "judges" insert "powers of"

AMENDMENT NO. 3

On page 1, line 5, after "circumstances;" and before "and" insert "to provide for the penalties a judge may impose after adjudicating a person guilty of contempt of court;"

AMENDMENT NO. 4

On page 1, line 8, after "R.S. 13:4207" and before "hereby" delete "is" and insert "and 4611(1)(b) are"

AMENDMENT NO. 5

On page 1, line 16, after "by" and before "judges" delete "these" and insert "judges of the city court within three days from the time such"

motions or applications for new trial are submitted to them for their decision and by district court"

AMENDMENT NO. 6

On page 2, after line 3, insert the following:

* * *

§4611. Punishment for contempt of court

Except as otherwise provided for by law:

(1) The supreme court, the courts of appeal, the district courts, family courts, juvenile courts and the city courts may punish a person adjudged guilty of a contempt of court therein, as follows:

* * *

(b) For disobeying or resisting a lawful restraining order, or preliminary or permanent injunction, by a fine of not more than one thousand dollars, or by imprisonment for not more than ~~twelve~~ six months, or both ~~except in juvenile courts and city courts, in which punishment may be a fine of not more than one thousand dollars or imprisonment for not more than six months, or both.~~

* * *

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 340— BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 14:91.11(A)(1) and (2), (B), and (D) and to enact R.S. 14:91.11(A)(4), and (5), and (E), relative to offenses affecting the health and morals of minors; to provide with respect to the sale, exhibition, or distribution of material harmful to minors; to provide for definitions; to provide that the provisions apply to persons under the age of eighteen years; to require identification prior to selling materials harmful to minors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 353— BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 27:372.1(A), relative to the Pari-Mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for slot machine gaming at an eligible facility; to provide for the maximum number of slot machines at such facility; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 353 by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 27:372.1(A)" and before the comma "," insert "and 392(C)(2)"

AMENDMENT NO. 2

On page 2, line 5, after the semicolon ";" and before "and" insert the following:

"to provide for the deposit of monies into the Greater New Orleans Sports Foundation Fund;"

AMENDMENT NO. 3

On page 2, between lines 7 and 8, insert the following:

"Section 2. R.S. 27:392(C)(2) is hereby amended and reenacted to read as follows:

§392. Collection and disposition of fees and taxes

* * *

C. Notwithstanding the provisions of Subsection B of this Section to the contrary and after complying with the provisions of Paragraphs (1) through (3) of Subsection B of this Section, the state treasurer shall in each fiscal year deposit and credit the remaining portion of taxable net slot machine proceeds collected from the licensed eligible facility in Orleans Parish as follows:

* * *

(2) Twenty percent, not to exceed ~~three hundred fifty thousand~~ one million dollars, shall be deposited in and credited to the Greater New Orleans Sports Foundation Fund, hereinafter referred to in this Paragraph as the "fund", which is hereby established in the state treasury. Monies in the fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the Greater New Orleans Sports Foundation. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on the investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

* * *

AMENDMENT NO. 4

On page 2, line 8, change "Section 2. This" to "Section 3.(A) The provisions of Section 1 of this"

AMENDMENT NO. 5

On page 2, after line 12, add the following:

"(B) The provisions of Section 2 of this Act shall become effective on the day on which the conduct of slot machine gaming commences at the eligible facility in Orleans Parish."

Page 8 HOUSE

41st Day's Proceedings - June 8, 2006

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 353 by Senator Murray

AMENDMENT NO. 1

In House Committee Amendment No. 2 proposed by the House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 353, on line 4, change "On page 2" to "On page 1"

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 417— BY SENATOR BAJOE

AN ACT

To enact Part VI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1181, relative to kidney disease; to require that clinical laboratories determine the estimated glomerular filtration rate of certain patients; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Durand, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 450— BY SENATOR JACKSON

AN ACT

To enact R.S. 46:2605(B)(41) and to repeal R.S. 46:2605(B)(17) and (35), relative to the Children's Cabinet Advisory Board; to provide for members of such board; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 450 by Senator Jackson

AMENDMENT NO. 1

On page 1, between lines 10 and 11, insert the following:

"(19) The ~~assistant~~ deputy secretary of the office of youth development of the Department of Public Safety and Corrections.

* * *

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 450 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 2, following "To" insert "amend and reenact R. S. 46:2605(B)(19) and to"

AMENDMENT NO. 2

On page 1, line 6, following "Section 1." insert "R. S. 46:2605(B)(19) is hereby amended and reenacted and"

On motion of Rep. Durand, the amendments were adopted.

On motion of Rep. Durand, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 596— BY SENATOR SCHEDLER

AN ACT

To enact R.S. 28:185, relative to mental health; to provide for penalties for performing mental health or substance abuse counseling without a license; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Durand, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 614— BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 46:2116, 2116.1(2), the introductory paragraph of 2116.1(3) and (3)(e) and (5), 2116.2(A) and (B)(1), (2), (3) and (4), the introductory paragraph of (C) and (C)(1), (2), and (3), and (D)(1) and (2), 2116.3(A), 2116.5(A) and (D), relative to the personal care assistants program; to provide for flexibility by Department of Social Services, office of rehabilitation services for the standards of eligibility; to provide for definitions for individuals determined to be in need of personal care assistants; provides for members to the advisory panel to develop criteria for prioritization; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 614 by Senator Bajoie

AMENDMENT NO. 1

On page 3, line 5, after "Transfers" insert a period "."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Durand, the amendments were adopted.

On motion of Rep. Durand, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 624—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 28:2(21) and (22), 52(D) and (H)(2)(b), 53(B)(1) and (2), (F), (G)(1), (J)(1) and (2), (K)(1)(a) and (c), and (O)(2), 53.2(A)(5) and (C), 55(I)(1)(a) and (c), 63(A)(1) and (B), 94(B)(2), 96.1(A), (E), and (F), 141, 171(D)(3), (5) and (8), (F), (G), (N) and (P), relative to mental health; to provide for duties and responsibilities of physicians, psychiatrists, and psychologists; to add duties and responsibilities of nurse practitioners and psychiatric mental health nurse practitioners; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 624 by Senator McPherson

AMENDMENT NO. 1

On page 1, delete lines 2 through 8 in their entirety and insert in lieu thereof the following:

"To amend and reenact R.S. 28:2(21) and (22)(b), 52(D) and (H)(2)(b), 53(B)(1), 53(B)(2)(a) and (b), (F), (G)(1)(d), (K)(1)(a) and (c), and (O)(2), 53.2(C), 55(I)(1)(a) and (c), 63(A)(1) and (B), 96.1(A), (E) and (F), 171(D)(3), (5) and (8), (G), (N), and (P) and to enact R.S. 28:2(30), (31), and (32), and 51.1, relative to mental health; to provide for the duties and responsibilities of physicians, psychologists, medical psychologists, and psychiatric mental health nurse practitioners, and primary care providers; to provide for definitions; to provide for staff membership or certain institutional privileges of medical psychologists and psychiatric mental health nurse practitioners in a treatment facility; to add duties and responsibilities of medical psychologists, psychiatric mental health nurse practitioners, and primary care providers; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 10 through 13 in their entirety and insert in lieu thereof the following:

"Section 1. R.S. 28:2(21) and (22)(b), 52(D) and (H)(2)(b), 53(B)(1), 53(B)(2)(a) and (b), (F), (G)(1)(d), (K)(1)(a) and (c), and (O)(2), 53.2(C), 55(I)(1)(a) and (c), 63(A)(1) and (B), 96.1(A), (E) and (F), 171(D)(3), (5) and (8), (G), (N), and (P) are hereby amended and reenacted and R.S. 28:2(30), (31), and (32), and 51.1 are hereby enacted to read as follows:"

AMENDMENT NO. 3

On page 2, delete line 1 in its entirety and insert in lieu thereof the following:

"(21) Physician means ~~a person permitted to practice and an individual licensed to practice medicine by the Louisiana State Board of Medical Examiners in active~~

AMENDMENT NO. 4

On page 2, line 2, change "as a physician under the laws of Louisiana or a person" to "~~as a physician under the laws of Louisiana or a person or an individual~~"

AMENDMENT NO. 5

On page 2, delete lines 6 through 18 in their entirety

AMENDMENT NO. 6

On page 2, line 19, after "(22)" delete the remainder of the line and insert in lieu thereof a line of asterisks "***"

AMENDMENT NO. 7

On page 2, delete lines 20 through 29 in their entirety

AMENDMENT NO. 8

On page 3, delete lines 1 through 8 in their entirety

AMENDMENT NO. 9

On page 3, line 9 change "~~(b)(c)~~" to "(b)" and change "a person" to "~~a person~~ an individual"

AMENDMENT NO. 10

On page 3, delete lines 13 through 17 in their entirety

AMENDMENT NO. 11

On page 3, between lines 18 and 19 insert the following:

"(30) "Medical psychologist" means a psychologist who has undergone specialized training in clinical psychopharmacology and has passed a national proficiency examination in psychopharmacology approved by the State Board of Examiners of Psychologists and who holds from the board a current certificate of responsibility, as defined in R.S. 37:2371(2). For the purposes of this Chapter a medical psychologist shall have at least three years training, primary experience, or both, in diagnosis and treatment of mental illness.

(31) "Primary care provider" means the principal, treating health care professional, excluding a physician, rendering general health care services to a person including but not limited to a psychologist, medical psychologist, nurse practitioner or any other advanced practice registered nurse.

(32) "Psychiatric mental health nurse practitioner" means an advanced practice registered nurse licenced to practice as a nurse practitioner or clinical nurse specialist by the Louisiana State Board of Nursing, in accordance with the provisions of R.S. 37:911, et seq., who focuses clinical practice on individuals, families, or populations across the life span at risk for developing or having a diagnosis of psychiatric disorders, mental health problems, or both. A psychiatric mental health nurse practitioner means a specialist who provides primary mental health care to patients seeking mental health services in a wide range of settings. Primary mental health care provided by

a psychiatric mental health nurse practitioner involves the continuous and comprehensive services necessary for the promotion of optimal mental health, prevention and treatment of psychiatric disorders, and health maintenance. Such primary health care includes the assessment, diagnosis, and management of mental health problems and psychiatric disorders. A psychiatric mental health nurse practitioner means a provider of direct mental health care services who synthesizes theoretical, scientific, and clinical knowledge for the assessment and management of both health and illness states and who is licensed to practice as a nurse practitioner in Louisiana, in accordance with R.S. 37:911, et seq. For purposes of this Chapter, a psychiatric mental health nurse practitioner shall have at least two years training, primary experience, or both, in diagnosis and treatment of mental illness. For purposes of this Chapter, a psychiatric mental health nurse practitioner shall also have authority from the Louisiana State Board of Nursing to prescribe legend and certain controlled drugs, in accordance with the provisions of R.S. 37:913(3)(b), (8), and (9).

* * *

§51.1. Treatment facility; staff membership and institutional privileges; certain health care providers

A. (1) Notwithstanding any provision of the law to the contrary, the governing body of a treatment facility, as defined in R.S. 28:2(29), may grant staff membership, specifically delineated institutional privileges, or both, to any duly licensed, certified or registered health care provider, including but not limited to a physician, psychiatrist, psychologist, medical psychologist or psychiatric mental health nurse practitioner, as defined in R.S. 28:2.

(2) Staff membership, specifically delineated institutional privileges, or both, granted to a medical psychologist shall be conditioned upon all of the following requirements:

(a) The applicant medical psychologist shall have a valid, current, unrestricted certificate of prescriptive authority issued to him by the Louisiana State Board of Examiners of Psychologists.

(b) The applicant medical psychologist shall prescribe medications in the treatment facility only in consultation, collaboration and concurrence with the patient's primary or attending physician or psychiatrist and only in accordance with the treatment facility's staff membership or privilege granting process and restrictions, if any.

(c) The patient's primary or attending physician or psychiatrist shall have staff membership, institutional privileges, or both, at the treatment facility.

(3) Staff membership, specifically delineated institutional privileges, or both, granted to a psychiatric mental health nurse practitioner shall be conditioned upon all of the following requirements:

(a) The applicant psychiatric mental health nurse practitioner shall have a valid, current, collaborative practice agreement, as defined in R.S. 37:913(9), with a psychiatrist.

(b) The applicant psychiatric mental health nurse practitioner shall have a valid, current and unrestricted advanced practice registered nurse license, as a nurse practitioner or clinical nurse specialist, issued by the Louisiana State Board of Nursing, and have been granted limited prescriptive authority pursuant to LAC 46:XLV.4513.

(c) The applicant psychiatric mental health nurse practitioner's collaborating physician shall have staff membership, institutional privileges, or both, at the treatment facility.

(d) The applicant psychiatric mental health nurse practitioner shall prescribe medications or the use of seclusion or restraint on patients in the treatment facility only in accordance with the collaborative practice agreement and in accordance with the treatment facility's staff membership or privilege granting process and restrictions, if any.

B. Nothing in this Section shall be construed to require the governing body of a treatment facility to grant staff membership, specifically delineated institutional privileges, or both, to any applicant health care provider, provided that each such applicant is considered on an individual basis regarding his qualifications.

C. Nothing in this Section shall be construed to prohibit the governing body of a treatment facility from granting or denying staff membership, specifically delineated institutional privileges, or both, on the basis of individual character, competence, experience and judgment of the applicant health care provider seeking staff membership, or specifically delineated institutional privileges, or both, from requiring the character recommendation of not more than three members of the staff for which membership is sought as a prerequisite to consideration for staff membership or specifically delineated clinical privileges.

D. "Governing body" for purposes of this Section, means the group or the individual ultimately responsible for a treatment facility's general policies with respect to staff membership and professional clinical privileges and shall include but not be limited to a board of trustees, a board of directors, a board of governors, a board of managers, a medical board, a medical director or any other official of the treatment facility with comparable responsibilities."

AMENDMENT NO. 12

On page 3, line 22, change "or physician or nurse practitioner" to "or physician, or psychiatric mental health nurse practitioner"

AMENDMENT NO. 13

On page 3, line 25, change "or nurse practitioner" to ", or psychiatric mental health nurse practitioner"

AMENDMENT NO. 14

On page 4, lines 1, change "nurse practitioner" to "primary care provider"

AMENDMENT NO. 15

On page 4, line 7, change "nurse practitioner" to "primary care provider"

AMENDMENT NO. 16

On page 4, line 8, change "nurse practitioner" to "primary care provider"

AMENDMENT NO. 17

On page 4, line 9, change "nurse practitioner" to "primary care provider"

AMENDMENT NO. 18

On page 4, line 13, change "or nurse practitioner" to ", psychiatric mental health nurse practitioner."

AMENDMENT NO. 19

On page 4, line 17, change "or nurse practitioner" to ", psychiatric mental health nurse practitioner."

AMENDMENT NO. 20

On page 4, line 21, change "or nurse practitioner's" to ", psychiatric mental health nurse practitioner's,"

AMENDMENT NO. 21

On page 4, line 24, change "or nurse practitioner" to ", psychiatric mental health nurse practitioner,"

AMENDMENT NO. 22

On page 4, delete lines 28 and 29 in their entirety

AMENDMENT NO. 23

On page 5, delete lines 1 through 5 in their entirety

AMENDMENT NO. 24

On page 5, line 15, change "or nurse practitioner" to ", psychiatric mental health nurse practitioner,"

AMENDMENT NO. 25

On page 5, line 27, change "or nurse practitioner" to ", psychiatric mental health nurse practitioner,"

AMENDMENT NO. 26

On page 6, delete lines 1 through 19 in their entirety

AMENDMENT NO. 27

On page 6, line 27, change "nurse practitioner" to "primary care provider"

AMENDMENT NO. 28

On page 7, line 1, change "nurse practitioner" to "primary care provider"

AMENDMENT NO. 29

On page 7, line 2, change "nurse" to "primary care provider"

AMENDMENT NO. 30

On page 7, line 3, delete "practitioner"

AMENDMENT NO. 31

On page 7, line 4, change "nurse practitioner" to "primary care provider"

AMENDMENT NO. 32

On page 7, line 7, change "nurse practitioner" to "primary care provider"

AMENDMENT NO. 33

On page 7, line 13, change "nurse practitioner" to "primary care provider"

AMENDMENT NO. 34

On page 7, line 14, change "nurse practitioner" to "primary care provider"

AMENDMENT NO. 35

On page 7, line 15, change "nurse practitioner" to "primary care provider"

AMENDMENT NO. 36

On page 7, line 19, change "or nurse practitioner" to ", psychiatric mental health nurse practitioner, medical psychologist,"

AMENDMENT NO. 37

On page 7, delete lines 24 through 27 in their entirety

AMENDMENT NO. 38

On page 8, line 7, after "physician" delete "or nurse practitioner"

AMENDMENT NO. 39

On page 8, line 8, after "psychiatrist" and before "or psychiatric" insert ", medical psychologist,"

AMENDMENT NO. 40

On page 8, line 22, change "treating nurse practitioner" to "primary care provider"

AMENDMENT NO. 41

On page 8, line 26, change "nurse practitioner" to "primary care provider"

AMENDMENT NO. 42

On page 8, line 27, change "nurse practitioner" to "primary care provider"

AMENDMENT NO. 43

On page 8, line 28, change "nurse practitioner" to "primary care provider"

AMENDMENT NO. 44

On page 9, line 2, change "nurse practitioner" to "primary care provider"

AMENDMENT NO. 45

On page 9, line 8, change "nurse practitioner" to "primary care provider"

AMENDMENT NO. 46

On page 9, line 9, change "nurse practitioner" to "primary care provider"

AMENDMENT NO. 47

On page 9, line 10, change "nurse practitioner" to "primary care provider"

AMENDMENT NO. 48

On page 9, delete line 13 in its entirety and insert in lieu thereof the following:

"A.(1) Any licensed physician, ~~or~~ psychologist, medical psychologist, psychiatric mental health nurse practitioner, or"

AMENDMENT NO. 49

Page 12 HOUSE

41st Day's Proceedings - June 8, 2006

On page 9, line 24, change "The training has been" to "~~The~~ Such training ~~has been~~ shall be"

AMENDMENT NO. 50

On page 9, line 28, after "physician" delete the remainder of the line in its entirety and insert in lieu thereof the following:

"~~or~~ psychologist, medical psychologist, or psychiatric mental health nurse practitioner who"

AMENDMENT NO. 51

On page 10, delete lines 5 through 11 in their entirety

AMENDMENT NO. 52

On page 10, delete line 15 in its entirety and insert in lieu thereof the following:

"only on the certificate of either two physicians, or one physician and one psychologist, medical psychologist, or psychiatric mental health nurse practitioner stating that the"

AMENDMENT NO. 53

On page 10, line 19, after "certificate of" and before "two" insert "~~either~~" and after "physicians" insert a comma ",."

AMENDMENT NO. 54

On page 10, line 20, change "nurse practitioners" to "one physician and one psychologist, medical psychologist, or psychiatric mental health nurse practitioner"

AMENDMENT NO. 55

On page 10, delete line 23 in its entirety and insert in lieu thereof the following:

"on the certificate of either two physicians, or one physician and one psychologist, medical psychologist, or psychiatric mental health nurse practitioner and with the approval of"

AMENDMENT NO. 56

On page 10, delete lines 25 through 29 in their entirety and insert in lieu thereof a line of asterisks "***"

AMENDMENT NO. 57

On page 11, delete lines 1 through 9 in their entirety

AMENDMENT NO. 58

On page 11, delete lines 13 and 14 in their entirety and insert in lieu thereof the following:

"(3) A written order from a physician, ~~or~~ a psychologist, medical psychologist, or psychiatric mental health nurse practitioner acting within the scope of his"

AMENDMENT NO. 59

On page 11, delete lines 16 and 17 in their entirety and insert in lieu thereof the following:

"however, no physician, ~~or~~ psychologist, medical psychologist, or psychiatric mental health nurse practitioner is immediately available, a registered nurse who has been trained in"

AMENDMENT NO. 60

On page 11, line 19, after "physician" delete "or psychiatric"

AMENDMENT NO. 61

On page 11, delete line 20 in its entirety and insert in lieu thereof the following:

"~~or a~~ psychologist, medical psychologist, or psychiatric mental health nurse practitioner with institutional authority to"

AMENDMENT NO. 62

On page 11, delete lines 23 and 24 in their entirety and insert in lieu thereof the following:

"tried or considered. The physician, ~~or~~ psychologist, medical psychologist, or psychiatric mental health nurse practitioner may then issue a telephone order for seclusion or restraint, if such"

AMENDMENT NO. 63

On page 11, delete lines 28 and 29 in their entirety and insert in lieu thereof the following:

"issued by a physician, ~~or a~~ psychologist, medical psychologist, or psychiatric mental health nurse practitioner with institutional authority to order seclusion or restraint after"

AMENDMENT NO. 64

On page 12, delete line 3 in its entirety and insert in lieu thereof:

"physician, ~~or~~ psychologist, medical psychologist, or psychiatric mental health nurse practitioner with"

AMENDMENT NO. 65

On page 12, line 12, after "physician" insert a comma ",." and delete "or psychiatric"

AMENDMENT NO. 66

On page 12, delete line 13 in its entirety and insert in lieu thereof the following:

"~~or~~ psychologist, medical psychologist, or psychiatric mental health nurse practitioner with institutional authority to"

AMENDMENT NO. 67

On page 12, line 15, after "physician" insert a comma ",." and delete "or"

AMENDMENT NO. 68

On page 12, delete line 16 in its entirety and insert in lieu thereof the following:

"~~or~~ psychologist, medical psychologist, or psychiatric mental health nurse practitioner the patient shall be"

AMENDMENT NO. 69

On page 12, delete lines 19 through 28 in their entirety

AMENDMENT NO. 70

On page 13, line 2, change "or a psychiatric mental health nurse practitioner" to ", medical psychologist, or a psychiatric mental health nurse practitioner"

AMENDMENT NO. 71

On page 13, line 11, after "physician" and before "or psychiatric" insert ", psychologist, medical psychologist,"

AMENDMENT NO. 72

On page 13, line 12, after "physician" and before "or" insert ", psychologist, medical psychologist,"

AMENDMENT NO. 73

On page 13, line 17, after "patient" and before "except" insert "pursuant to the provisions of this Chapter"

AMENDMENT NO. 74

On page 13, delete lines 18 and 19 in their entirety and insert in lieu thereof:

"a physician, medical psychologist, or psychiatric mental health nurse practitioner. The physician, psychologist, medical psychologist, or psychiatric mental health nurse practitioner"

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 624 by Senator McPherson

AMENDMENT NO. 1

In House Committee Amendment No. 3 proposed by the House Committee on Health & Welfare on line 26, change "Physician" to ""Physician""

AMENDMENT NO. 2

In House Committee Amendment No. 11 proposed by the House Committee on Health & Welfare on line 16, change "certificate of responsibility" to "certificate of prescriptive authority"; and, on line 26, change "licenced" to "licensed"

On motion of Rep. Durand, the amendments were adopted.

On motion of Rep. Durand, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 645—

BY SENATORS MOUNT AND SCHEDLER AND REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 13:1, 474, 477(introductory paragraph), 691(A), 759, 842(A), 846(A)(introductory paragraph), and 901, R.S. 18:402(D), and R.S. 44:71; to enact R.S. 13:474.1, 477(41), 621.41, 621.42, 714.1, 714.2, 751.1, 751.2, 751.3, 751.4, 841.3, 983, 996.62 through 996.64, and Chapter 2-A of Title 44 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 44:181 through 185; and to repeal R.S. 9:2745, R.S. 13:471, 1001 through 1147, 1271 through 1305, 1312, 1335 through 1347, and 1381.1 through 1400, R.S. 18:514(B), and Part III of Chapter 5 of Title 35 of the Louisiana

Revised Statutes of 1950, comprised of R.S. 35:321 through 338, and Chapter 3 of Title 44 of the Louisiana Revised Statutes of 1950, comprised of R.S. 44:201 through 268, relative to the reorganization and consolidation of courts, offices, and officers of the judicial system in and for certain parishes; to provide relative to the register of conveyances and recordation for certain parishes; to provide, delineate, and otherwise designate the powers, authority, duties, functions, compensation, fees, and related matters concerning the civil and criminal district courts, clerks of the civil and criminal courts, the office and custodian of notarial records, the office of the register of conveyances, the office of the recorder of mortgages, and other judicial officers and officials for certain parishes, to create the Forty-First Judicial District, its subsequent courts, magistrate, and commissioners, to create the Consolidated Expense Fund for the Forty-First Judicial District and the Consolidated Expense Fund Board; to provide for the consolidation of certain offices and judicial expense funds; to provide for the election of a single clerk of court for certain parishes commencing with the next election for parochial and municipal officers in the parishes; to provide for effective dates; to abolish the office of the register of conveyances, the office of the recorder of mortgages, and the office and custodian of notarial records; to provide transitional provisions; to request the Judicial Council to review and make recommendations on the optimum number of district court judges in certain parishes based on certain data; to request the Louisiana State Law Institute to change statutory references including the renumbering of provisions consistent with the provisions of this Act; to provide for an effective date; to provide for a referendum in Orleans Parish; and to provide for related matters.

Read by title.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Re-Engrossed Senate Bill No. 645 by Senator Mount

AMENDMENT NO. 1

On page 31, line 9, change "44:131" to "44:115"

On motion of Rep. Bruneau, the amendments were adopted.

On motion of Rep. Bruneau, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 647—

BY SENATORS DUPLESSIS, BOASSO, QUINN, SHEPHERD, DARDENNE AND HOLLIS

AN ACT

To amend and reenact R.S. 9:1425, R.S. 11:1481(2)(b)(i) and (d)(i), R.S. 13:4405(B), R.S. 18:602(C), R.S. 33:2828(B)(1)(introductory paragraph), (B)(2), and (D), and 9091.1(D)(1)(e) and (f), R.S. 35:281, R.S. 42:261(D)(2), R.S. 44:205, R.S. 47:1709, 1856(E)(1), 1874(B), 1901, 1901.1, 1903.2, 1903.3, 1904(B), 1907(A)(1), 1909, 1910, 1910.1, 1910.2, 1925.8, 1931, 1956(A)(1), 1958(E), 1960, 1979(A), 1987(A), 1991(A) and (B), 1992(A)(1)(a) and (F)(1), 2110(A)(2) and (E), and 2305(A), to enact R.S. 33:9091.1(D)(6), and to repeal R.S. 11:1481(2)(c) and R.S. 47:1907(A)(2), relative to assessors; to provide for the consolidation of the assessors of Orleans Parish; to provide for changes to various provisions of law pertaining to assessment of

Page 14 HOUSE

41st Day's Proceedings - June 8, 2006

property for ad valorem tax purposes to reflect a single assessor in Orleans Parish; to provide for an effective date; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Baldone, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 664—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 41:1702(D)(2)(a), relative to reclamation and restoration of certain lands; to provide relative to certain powers of the secretary of the Department of Natural Resources; to provide relative to certain agreements concerning the acquisition of land by certain entities for coastal projects; to provide certain requirements, procedures and definitions; to provide for the adoption of rules and regulations; to provide relative to agreements concerning ownership of minerals; to provide certain terms, conditions, and procedures; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Reengrossed Senate Bill No. 664 by Senator Dupre

AMENDMENT NO. 1

On page 2, line 6, after "projects" insert a comma ", " and "including hurricane protection and flood control."

AMENDMENT NO. 2

On page 2, line 24, after "projects" insert a comma ", " and "including hurricane protection and flood control."

AMENDMENT NO. 3

On page 2, line 27, after "adopted" insert "in accordance with the Administrative Procedure Act"

AMENDMENT NO. 4

On page 3, delete lines 5 through 10 in their entirety and insert in lieu thereof the following:

"(cc) Mineral servitudes and exercise of mineral rights, including noninterference with the principal purposes of the acquisition. If ownership of the property is transferred to a public entity or a qualified acquiring authority, prescription of nonuse shall be suspended. However, if the ownership of the property is subsequently transferred to a person or entity that is not a public entity or qualified acquiring authority, the prescription of nonuse shall be applicable and shall not be interrupted by such subsequent acquisition."

AMENDMENT NO. 5

On page 3, delete lines 27 and 28 in their entirety

AMENDMENT NO. 6

On page 4, line 1, after "adoption" insert "in accordance with the Administrative Procedure Act"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pierre, the amendments were adopted.

On motion of Rep. Pierre, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 666—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 40:2198.11(4) and 2198.12(A) and (D)(1), relative to pain management clinics; to provide for definitions; to provide for licensure; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 666 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 15, change "~~and or~~" to "and"

AMENDMENT NO. 2

On page 2, line 14, change "~~and or~~" to "and"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Durand, the amendments were adopted.

On motion of Rep. Durand, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 701—

BY SENATOR JONES

AN ACT

To enact R.S. 17:3981(6), relative to charter schools; to require the State Board of Elementary and Secondary Education to provide certain financial information upon the request of certain school systems; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Crane, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 727—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 39:1533(A) and to enact Chapter 18 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:871 through 876, and R.S. 36:254(J) and 258(J), relative to human services; to provide for a self-insurance fund; to create the Northeast Delta Human Services Authority; to provide for powers, duties, and functions of the authority; to create a governing board and provide for membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the authority; to provide for the transfer of employees; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 727 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "R.S. 39:1533(A)" insert "R.S. 28:382.2(C) and" and after "enact" and before "Chapter" insert "R.S. 28:771(G) and"

AMENDMENT NO. 2

On page 1, line 11, after "Section 1." and before "Chapter" insert the following:

"R.S. 28:382.2(C) is hereby amended and reenacted and R.S. 28:771(G) and"

AMENDMENT NO. 3

On page 1, line 12, change "is" to "are"

AMENDMENT NO. 4

On page 1, between lines 12 and 13 insert the following:

"§382.2. Statewide human services and accountability framework for human services delivery; development; implementation

* * *

C. Notwithstanding the provisions of R.S. 36:257, the secretary may reorganize Department of Health and Hospitals agencies and offices, exclusive of Jefferson Parish Human Services Authority, Capital Area Human Services District, Florida Parishes Human Services Authority, Metropolitan Human Services District, Northeast Delta Human Services Authority, and other human services districts and authorities, to support the transition of state roles and functions from direct service delivery to policy setting, monitoring, and provision of technical support of direct service delivery systems.

* * *

§771. Office for addictive disorders; functions related to addictive disorders

* * *

G. The services and programs as described in Subsections A and B of this Section, excluding the operation and management of any inpatient facility under the jurisdiction of the department, shall be the responsibility of and shall be performed by the Northeast Delta Human Services Authority for the parishes of Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, and West Carroll only. The department shall not be responsible for and shall not perform these services and programs in said parishes provided that if funds are not appropriated by the legislature for the district to provide these services and programs in said parishes, the department shall continue to be responsible for and shall perform these services and programs in said parishes.

* * *

AMENDMENT NO. 5

On page 2, line 11, change "substance abuse" to "addictive disorders"

AMENDMENT NO. 6

On page 2, line 12, delete "Southern Oaks Addiction Recovery."

AMENDMENT NO. 7

On page 2, at the end of line 15, insert the following:

"Programs and services relative to the Southern Oaks Addiction Recovery shall be provided in accordance with a twelve-month transition plan developed by the office for addictive disorders and the governing board of the authority."

AMENDMENT NO. 8

On page 4, line 25, change "alcohol or drug abusers" to "persons with addictive disorders"

AMENDMENT NO. 9

On page 5, between lines 4 and 5, insert the following:

"(5) The provisions of Paragraphs (1) through (3) of this Subsection shall not include the operation, management or performance of functions and services related to the Ruston Developmental Center or the Columbia Developmental Center."

AMENDMENT NO. 10

On page 9, line 16, change "Section 4." to "Section 3."

AMENDMENT NO. 11

On page 10, delete lines 8 through 13 in their entirety

Reported without amendments by the Legislative Bureau.

On motion of Rep. Durand, the amendments were adopted.

On motion of Rep. Durand, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 737—
BY SENATOR JONES

AN ACT

To enact Chapter 20-B-1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3042.11, relative to the Teachers Education Trust Fund Incentive Program; to provide incentives for qualified teachers to locate and work in

Page 16 HOUSE

41st Day's Proceedings - June 8, 2006

disadvantaged areas; to authorize the development and establishment of Teachers Education Trust Fund Incentive Program within the state treasury; to provide for program approval; to authorize the office of student financial assistance to administer the program; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Reengrossed Senate Bill No. 737 by Senator Jones

AMENDMENT NO. 1

On page 1, line 4, after "Program;" delete the remainder of the line and delete lines 5, 6, and 7 in their entirety and at the beginning of line 8 delete "the program;" and insert in lieu thereof the following:

"to establish the Teachers Education Incentive Program Trust Fund as a special fund in the state treasury; to provide relative to the credit of certain monies to the fund; to require the investment of fund monies; to require that interest earnings on fund monies be deposited in the fund; to provide relative to certain fund balances; to specify the use of fund monies; to establish the Teachers Education Trust Fund Incentive Program; to provide program purposes; to provide definitions, to provide relative to program eligibility; to provide relative to the formulation, development, and approval of program components by the State Board of Elementary and Secondary Education in cooperation with specified others; to provide relative to program implementation and administration by the Louisiana Student Financial Assistance Commission;"

AMENDMENT NO. 2

On page 1, line 11, after "R.S. 11:3042.11" insert a comma ","

AMENDMENT NO. 3

On page 1, line 14, after "Program;" delete the remainder of the line and delete line 15 in its entirety and insert in lieu thereof "purposes; components; eligibility; administration; special treasury fund"

AMENDMENT NO. 4

On page 2, line 5, change "Teachers Education Trust Fund Incentive Program," to "Teachers Education Incentive Program Trust Fund."

AMENDMENT NO. 5

On page 2, line 12, after "Subsection" and before "of" change "C" to "D"

AMENDMENT NO. 6

On page 2, at the beginning of line 19, after "established" and before "for" delete "as a special fund program in the treasury"

AMENDMENT NO. 7

On page 3 delete line 10 in its entirety

AMENDMENT NO. 8

On page 3 delete lines 14 and 15 in their entirety and insert in lieu thereof the following:

"Such payments shall be in an amount not to exceed three thousand dollars a year for three years and may be used, but shall not be required to be used, to offset the qualified student debt of an eligible classroom teacher as applicable."

AMENDMENT NO. 9

On page 3 delete lines 16 through 20 in their entirety and at the beginning of line 21 delete "(2) The office of student financial assistance," and insert in lieu thereof the following:

"E.(1) The State Board of Elementary and Secondary Education, in cooperation with the Louisiana Student Financial Assistance Commission, shall adopt rules and regulations in accordance with the Administrative Procedure Act providing for the formulation, development, and approval by the board of the components of the Teachers Education Trust Fund Incentive Program."

(2) The Teachers Education Trust Fund Incentive Program shall be administered by the Louisiana Student Financial Assistance Commission. The commission, in accordance with the Administrative Procedure Act, shall adopt rules and regulations necessary for program implementation and administration."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 737 by Senator Jones

AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on Education on line 11, between "definitions" and "to" change "," to ";

AMENDMENT NO. 2

In House Committee Amendment No. 9 proposed by the House Committee on Education delete lines 6 and 7 and insert "On page 3, delete lines 16 through 24 in their entirety and insert in lieu thereof the following:"

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 749 (Substitute of Senate Bill No. 335 By Senator Nevers)—

BY SENATORS NEVERS AND HINES

AN ACT

To enact Subpart A-3 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:187.1 through 187.5, relative to public schools and school children; to provide for articulated and reciprocal technical training for shared students; to provide legislative findings and purposes; to provide definitions; to provide for the establishment of programs of dual enrollment of students in public secondary schools and institutions under the jurisdiction of the Board of Supervisors of Louisiana Community and Technical Colleges; to provide for the duties and responsibilities of the State Board of Elementary and Secondary Education, the Board of Supervisors of Louisiana Community and Technical Colleges, the city, parish, or other local public school boards, and the

governing boards of public schools not under the jurisdiction of a local board; to provide relative to the funding for dual enrollment; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Reengrossed Senate Bill No. 749 by Senator Nevers

AMENDMENT NO. 1

On page 1, at the beginning of line 8, after "of" and before "Community" delete "Louisiana"

AMENDMENT NO. 2

On page 1, line 10, after "of" and before "Community" delete "Louisiana"

AMENDMENT NO. 3

On page 1, at the end of line 10, after "Colleges," and before "city," delete "the"

AMENDMENT NO. 4

On page 1, at the beginning of line 11, after "parish," and before "other" change "or" to "and"

AMENDMENT NO. 5

On page 2, line 14, after "The" and before "material," change "facility," to "facilities."

AMENDMENT NO. 6

On page 2, line 19, after "institutions" and before "for" change "has" to "have"

AMENDMENT NO. 7

On page 2, at the end of line 20, change "facility," to "facilities."

AMENDMENT NO. 8

On page 3, line 1, after "available" and before "faculty," change "facility," to "facilities."

AMENDMENT NO. 9

On page 3, line 9, after "of" and before "technology," change "facility," to "facilities."

AMENDMENT NO. 10

On page 3, line 12, after "in" and before "equipment," change "facility," to "facilities."

AMENDMENT NO. 11

On page 3, at the end of line 12, after "expertise" and before "and" insert a comma ",."

AMENDMENT NO. 12

On page 3, line 29, after "home" and before "program" change "school" to "study"

AMENDMENT NO. 13

On page 4, at the beginning of line 1, after "(2)" and before "means" change "LCTCS board" to "Board of supervisors"

AMENDMENT NO. 14

On page 4, line 21, after "and" and before "requirements" change "LCTCS board" to "board of supervisors"

AMENDMENT NO. 15

On page 4, line 23, after "and the" and before "shall" change "LCTCS board" to "board of supervisors"

AMENDMENT NO. 16

On page 5, at the end of line 2, delete "LCTCS"

AMENDMENT NO. 17

On page 5, at the beginning of line 3, after "board" and before "shall" insert "of supervisors"

AMENDMENT NO. 18

On page 5, line 22, after "postsecondary," and before "state" insert "and"

AMENDMENT NO. 19

On page 5, line 22, after "local," and before "Recommendations" insert "(v)"

AMENDMENT NO. 20

On page 6, line 1, after "the" and before "to" change "LCTCS board" to "board of supervisors"

AMENDMENT NO. 21

On page 6, line 7, after "to" and before "partnership" change "work at establishing" to "establish"

AMENDMENT NO. 22

On page 6, line 15, after "shall" and before "for" change "work at establishing and providing" to "establish and provide"

AMENDMENT NO. 23

On page 7, line 1, "the" and before "regarding" change "LCTCS board" to "board of supervisors"

AMENDMENT NO. 24

On page 7, line 4, after "the" and before "and" change "LCTCS board" to "board of supervisors"

AMENDMENT NO. 25

On page 7, line 20, after "the" and before "shall" change "LCTCS board" to "board of supervisors"

AMENDMENT NO. 26

On page 7, line 24, after "to the" and before "and" change "LCTCS board" to "board of supervisors"

Page 18 HOUSE

41st Day's Proceedings - June 8, 2006

AMENDMENT NO. 27

On page 8, delete line 4 and insert "opportunity to be simultaneously enrolled in the public"

AMENDMENT NO. 28

On page 8, line 19, after "access" and before "such" change "of" to "for"

AMENDMENT NO. 29

On page 8, line 19, after "the" and before "resources," change "facility," to "facilities."

AMENDMENT NO. 30

On page 8, line 27, after "State board;" and before "guidelines;" change "LCTCS board;" to "board of supervisors;"

AMENDMENT NO. 31

On page 9, line 1, after "the" and before "rules" change "LCTCS board," to "board of supervisors."

AMENDMENT NO. 32

On page 9, line 4, after "completed in" and before "high" change "the" to "a"

AMENDMENT NO. 33

On page 9, line 6, after "Act" and before "and" insert a comma ","

AMENDMENT NO. 34

On page 9, line 6, after "the" and before "rules" change "LCTCS board," to "board of supervisors."

AMENDMENT NO. 35

On page 9, line 12, after "with" delete the remainder of the line and insert "a community or technical college to"

AMENDMENT NO. 36

On page 9, line 13, after "of" and before "students" change "LCTCS" to "community or technical college"

AMENDMENT NO. 37

On page 9, line 15, after "The" and before "shall;" change "LCTCS board" to "board of supervisors"

AMENDMENT NO. 38

On page 9, line 24, after "the" change "LCTCS," to "board of supervisors."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 193—

BY REPRESENTATIVE PITRE AND SENATOR DUPRE

A CONCURRENT RESOLUTION

To approve the Fiscal Year 2006-2007 Coastal Wetlands Protection and Restoration Plan as adopted by the Coastal Protection and Restoration Authority (authority).

Read by title.

Rep. Odinet sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Odinet to Engrossed House Concurrent Resolution No. 193 by Representative Pitre

AMENDMENT NO. 1

On page 2, between lines 2 and 3, insert the following:

"WHEREAS, the plan shall include immediate closure of the Mississippi River Gulf Outlet (MRGO) as requested in Governor Blanco's June 2, 2006, letter to Major General Don T. Riley, Director of Civil Works for the U.S. Army Corps of Engineers, and shall not include construction or installation of any flood gates located at the convergence of MRGO and the Gulf Intracoastal Waterway; and"

Motion

On motion of Rep. Pitre, the resolution was returned to the calendar.

HOUSE CONCURRENT RESOLUTION NO. 271—

BY REPRESENTATIVE WOOTON

A CONCURRENT RESOLUTION

To extend the authority for the Forensic Strategic Task Force until July 1, 2008.

Read by title.

Rep. Wooton sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wooton to Original House Concurrent Resolution No. 271 by Representative Wooton

AMENDMENT NO. 1

On page 3, between lines 2 and 3, insert the following:

"BE IT FURTHER RESOLVED that the Secretary of the Department of Public Safety and Corrections or his designee shall be added to the composition of the Forensic Strategic Task Force created by Senate Concurrent Resolution No. 28 of the 2002 Regular Session of the Legislature and Senate Concurrent Resolution No. 138 of the 2003 Regular Session."

On motion of Rep. Wooton, the amendments were adopted.

Rep. Wooton moved the adoption of the resolution, as amended.

By a vote of 96 yeas and 0 nays, the resolution, as amended, was adopted.

Ordered to the Senate.

Suspension of the Rules

On motion of Rep. Crowe, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

HOUSE BILL NO. 1334—

BY REPRESENTATIVE CROWE

AN ACT

To amend and reenact R.S. 17:415.1(C), relative to textbook adoption; to provide for duration of time, locations, and procedures relative to inspection and review of textbooks prior to state adoption; to provide for rules and regulations; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Crowe, the bill was returned to the calendar.

HOUSE BILL NO. 1403 (Substitute for House Bill No. 1318 by Representative Harris)—

BY REPRESENTATIVES HARRIS AND RICHMOND

AN ACT

To enact Code of Criminal Procedure Article 334.1, relative to bail; to provide that a person arrested for a felony offense involving a firearm shall not be released on their own recognizance; and to provide for related matters.

Read by title.

Rep. Richmond moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinet
Alario	Gallot	Pierre
Alexander	Geymann	Pinac
Ansardi	Glover	Pitre
Arnold	Gray	Powell, M.
Badon	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire
Baudoin	Guillory, M.	Richmond
Baylor	Hammett	Ritchie
Beard	Harris	Robideaux
Bowler	Heaton	Romero
Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burrell	Honey	Smith, G.
Carter, K.	Hopkins	Smith, J.D.—50th
Carter, R.	Hunter	Smith, J.H.—8th
Cazayoux	Hutter	Smith, J.R.—30th
Crane	Jackson	St. Germain
Cravins	Jefferson	Strain
Crowe	Johns	Thompson

Curtis
Damico
Daniel
DeWitt
Doerge
Dorsey
Dove
Downs
Durand
Erdey
Fannin
Farrar
Faucheux
Total - 97

Katz
Kenney
Kleckley
LaBruzzo
LaFleur
LaFonta
Lambert
Lancaster
Marchand
Martiny
McDonald
McVea
Morrish

Toomy
Townsend
Trahan
Triche
Tucker
Waddell
Walker
Walsworth
White
Winston
Wooton

NAYS

Total - 0

ABSENT

Barrow
Burns
Chandler
Total - 8

Dartez
Kennard
Montgomery

Morrell
Smiley

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Richmond moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1334—

BY REPRESENTATIVE CROWE

AN ACT

To amend and reenact R.S. 17:415.1(C), relative to textbook adoption; to provide for duration of time, locations, and procedures relative to inspection and review of textbooks prior to state adoption; to provide for rules and regulations; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Crowe moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Erdey	McVea
Alario	Fannin	Morrell
Alexander	Faucheux	Morrish
Ansardi	Frith	Odinet
Arnold	Gallot	Pierre
Badon	Geymann	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Beard	Harris	Ritchie
Bowler	Hebert	Robideaux
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Burns	Hunter	Smiley
Burrell	Hutter	Smith, J.H.—8th
Carter, R.	Jackson	Smith, J.R.—30th
Cazayoux	Jefferson	St. Germain
Chandler	Johns	Strain

Page 20 HOUSE

41st Day's Proceedings - June 8, 2006

Crane	Katz	Thompson
Cravins	Kenney	Toomy
Crowe	LaBruzzo	Trahan
Curtis	LaFleur	Triche
Damico	LaFonta	Tucker
Daniel	Lambert	Walker
Dorsey	Lancaster	Walsworth
Dove	Marchand	White
Downs	Martiny	Wooton
Durand	McDonald	
Total - 83		

NAYS

Baylor	Gray	Richmond
DeWitt	Hammett	Romero
Doerge	Hill	Smith, G.
Farrar	Pinac	Winston
Total - 12		

ABSENT

Carter, K.	Kennard	Townsend
Dartez	Kleckley	Waddell
Glover	Montgomery	
Heaton	Smith, J.D.—50th	
Total - 10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Crowe moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1404 (Substitute for House Bill No. 337 by Representative M. Guillory)— BY REPRESENTATIVE M. GUILLORY AN ACT

To amend and reenact R.S. 40:1300.52(A)(1), (B)(1), (C), (D)(2), and (E) and to enact R.S. 40:1300.52(B)(3), relative to nonlicensed persons and licensed ambulance personnel; to provide for security checks; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Mickey Guillory, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Mickey Guillory gave notice of his intention to call House Bill No. 1404 from the calendar for future action.

HOUSE BILL NO. 1187— BY REPRESENTATIVE LABRUZZO AN ACT

To enact R.S. 38:2197 and R.S. 39:1515.2 and 1617, relative to public contracts and procurement; to prohibit the solicitation, receipt, offer, or payment of any kickbacks, bribes, rebates, incentive payments, or other remuneration or value for state contracts or agreements; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. LaBruzzo, the bill was returned to the calendar.

Suspension of the Rules

On motion of Rep. Pinac, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

HOUSE BILL NO. 144—

BY REPRESENTATIVES HUNTER, DURAND, AND MONTGOMERY
AN ACT

To enact Part II of Chapter 6 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:661 through 669, relative to payment of wages; to provide for definitions; to provide for prohibited acts constituting unequal pay; to require certain records be kept by employers; to provide for relief; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Tucker sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Engrossed House Bill No. 144 by Representative Hunter

AMENDMENT NO. 1

On page 1, line 17, after "for" and before "work" delete "comparable" and insert "identical", and after "have" and before "requirements" delete "comparable" and insert "identical"

AMENDMENT NO. 2

On page 2, line 25, after "same" and before "work" delete "or substantially similar"

AMENDMENT NO. 3

On page 2, line 27, after "under" delete "similar" and insert "identical"

On motion of Rep. Tucker, the amendments were adopted.

Rep. Tucker moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	Montgomery
Ansardi	Farrar	Morrell
Arnold	Gallot	Odinot
Badon	Gray	Pierre
Barrow	Guillory, E.	Pinac
Baudoin	Heaton	Quezaire
Bruce	Hebert	Ritchie
Burrell	Hill	Smith, G.
Carter, K.	Honey	St. Germain
Carter, R.	Hopkins	Thompson
Curtis	Hunter	Triche
Doerge	Jackson	Walker
Dorsey	Kenney	

Downs
Total - 40

Marchand

NAYS

Alario	Frith	Robideaux
Alexander	Geymann	Romero
Baldone	Greene	Scalise
Beard	Guillory, M.	Schneider
Bowler	Hutter	Smiley
Bruneau	Johns	Smith, J.D.—50th
Burns	Katz	Smith, J.H.—8th
Chandler	LaBruzzo	Smith, J.R.—30th
Crane	LaFleur	Strain
Cravins	Lambert	Toomy
Crowe	Lancaster	Townsend
Damico	Martiny	Trahan
Daniel	McDonald	Tucker
DeWitt	McVea	Waddell
Dove	Morrish	Walsworth
Erdey	Pitre	White
Fannin	Powell, M.	Winston
Fauchoux	Powell, T.	Wooton

Total - 54

ABSENT

Baylor	Hammett	Kleckley
Cazayoux	Harris	LaFonta
Darte	Jefferson	Richmond
Glover	Kennard	

Total - 11

The Chair declared the above bill failed to pass.

Rep. Bowler moved to reconsider the vote by which the above bill failed to pass, and, on her own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Jack Smith, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

HOUSE BILL NO. 1311—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 26:2(12) and 241(12) and to enact R.S. 26:71(A)(6), 71.2, 271(A)(6), and 271.3, relative to permits to engage in the business of dealing in beverages of high or low alcoholic content; to provide for a Retail Class C-Package Store permit; to provide for a fee for the permit; to define "Class C-Package Store"; to define Package House-Class B; and to provide for related matters.

Read by title.

Rep. Townsend sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Townsend to Engrossed House Bill No. 1311 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 2, change "and 241(12)" to "71(A)(3)(c), 241(12), and 271(A)(4) and (5)"

AMENDMENT NO. 2

On page 1, line 2, change "26:71(A)(6)" to "26:71(A)(3)(d)"

AMENDMENT NO. 3

On page 1, line 8, change "and 241(12)" to "71(A)(3)(c), 241(12), and 271(A)(4) and (5)"

AMENDMENT NO. 4

On page 1, line 9, change "26:71(A)(6)" to "26:71(A)(3)(d)"

AMENDMENT NO. 5

On page 2, delete lines 4 and 5 in their entirety and insert the following:

"(3)

* * *

(c) Those operating Class C Package Stores - one hundred dollars for each place of business in any city in the state and fifty dollars for each place of business in a town, village, or unincorporated place. This permit shall be known as a Class C Package Store Permit.

(~~e~~) (d) A fee of one hundred dollars for each one hundred thousand dollars of gross retail liquor sales, after the first one hundred thousand dollars of gross retail liquor sales, shall be levied according to the schedule below which shall be in addition to those fees enumerated in Subparagraphs (a) and (b) of Paragraph (3) of this Subsection:

GROSS SALES

ADDITIONAL FEES

\$0.00 to \$99,999.99	-0-
\$100,000.00 to \$199,999.99	\$100.00
\$200,000.00 to \$299,999.99	\$200.00
\$300,000.00 to \$399,999.99	\$300.00
\$400,000.00 to \$499,999.99	\$400.00
\$500,000.00 to \$599,999.99	\$500.00
\$600,000.00 and over	\$600.00"

AMENDMENT NO. 2

On page 3, delete lines 22 and 23 in their entirety and insert the following:

"(4) Retailers, Class C Package Store - seventy dollars

(~~4~~) (5) Microbrewer, which authorizes the holder of a Retailers, Class A permit to engage in the brewing of beer and other malt beverages at a single location in an amount not to exceed twelve thousand five hundred barrels, and which further authorizes the sale at retail of such brewed beverages from that location - one thousand dollars.

(~~5~~) (~~a~~) (6)(a) In-state manufacturers - one thousand dollars for each establishment in the state.

(b) Out-of-state manufacturers who do not maintain an establishment in the state.

(i) Manufacturers who sell less than ten thousand barrels - two hundred dollars.

(ii) All other out-of-state manufacturers - one thousand dollars."

On motion of Rep. Townsend, the amendments were adopted.

Rep. Townsend moved the final passage of the bill, as amended.

Page 22 HOUSE

41st Day's Proceedings - June 8, 2006

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrish
Alario	Gallot	Odinet
Ansardi	Glover	Pierre
Arnold	Gray	Pinac
Badon	Greene	Pitre
Baldone	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Bowler	Hammett	Ritchie
Bruce	Harris	Robideaux
Bruneau	Heaton	Romero
Burrell	Hebert	Scalise
Carter, K.	Honey	Smith, G.
Carter, R.	Hopkins	Smith, J.H.—8th
Cazayoux	Hunter	St. Germain
Cravins	Hutter	Thompson
Curtis	Jackson	Toomy
Damico	Jefferson	Townsend
DeWitt	LaBruzzo	Triche
Doerge	LaFleur	Waddell
Dorsey	Lancaster	Walker
Downs	Marchand	Winston
Farrar	Martiny	Wooton
Faucheux	Montgomery	
Total - 68		

NAYS

Alexander	Erdey	Schneider
Barrow	Fannin	Smiley
Baudoin	Hill	Smith, J.R.—30th
Beard	Katz	Strain
Chandler	Kenney	Trahan
Crane	Lambert	Tucker
Crowe	McVea	Walsworth
Daniel	Powell, M.	
Dove	Powell, T.	
Total - 25		

ABSENT

Burns	Johns	McDonald
Dartez	Kennard	Morrell
Durand	Kleckley	Smith, J.D.—50th
Geymann	LaFonta	White
Total - 12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

HOUSE BILL NO. 741—

BY REPRESENTATIVE RICHMOND

AN ACT

To enact R.S. 38:2225.1(B)(3), relative to public work contracts let by Orleans Parish; to provide for hiring preferences; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Richmond moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Dorsey	Jackson
Alario	Farrar	LaFonta
Arnold	Frith	Marchand
Badon	Gallot	Morrell
Barrow	Gray	Odinet
Baylor	Guillory, E.	Pierre
Bruce	Guillory, M.	Quezaire
Burrell	Heaton	Richmond
Carter, K.	Hebert	Ritchie
Cravins	Hill	Smith, G.
Curtis	Honey	Townsend
DeWitt	Hunter	
Total - 35		

NAYS

Alexander	Greene	Schneider
Baldone	Hammett	Smiley
Baudoin	Hopkins	Smith, J.D.—50th
Beard	Hutter	Smith, J.H.—8th
Bowler	Johns	Smith, J.R.—30th
Bruneau	Katz	St. Germain
Burns	Kenney	Strain
Carter, R.	LaBruzzo	Thompson
Cazayoux	Lambert	Toomy
Chandler	Lancaster	Trahan
Crane	Martiny	Triche
Crowe	McDonald	Tucker
Damico	McVea	Waddell
Daniel	Morrish	Walker
Doerge	Pinac	Walsworth
Dove	Pitre	White
Durand	Powell, M.	Winston
Erdey	Powell, T.	Wooton
Fannin	Robideaux	
Faucheux	Scalise	
Total - 58		

ABSENT

Ansardi	Glover	Kleckley
Dartez	Harris	LaFleur
Downs	Jefferson	Montgomery
Geymann	Kennard	Romero
Total - 12		

The Chair declared the above bill failed to pass.

Rep. Tucker moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1028—

BY REPRESENTATIVE HOPKINS

AN ACT

To enact R.S. 42:808(A)(11) and 851(Q), relative to state group benefits programs; to provide that certain former members of the legislature shall be eligible for group benefits programs; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Hopkins sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hopkins to Engrossed House Bill No. 1028 by Representative Hopkins

AMENDMENT NO. 1

On page 1, at the end of line 11 and the beginning of line 12, delete "current or former"

AMENDMENT NO. 2

On page 1, line 12 after "legislature" and before the comma ", " insert "elected in 1995 or thereafter"

AMENDMENT NO. 3

On page 1, line 13, after "legislature for" change "twelve" to "ten" and at the end of the line change "twelve" to "ten"

AMENDMENT NO. 4

On page 1, line 20, after the word "provided" delete the remainder of the line and delete line 21 and insert: "in Subsection (D)(2)(c) of this Section. The classification of premiums applicable to this group shall be the same as that applicable to current members of the legislature."

On motion of Rep. Hopkins, the amendments were adopted.

Rep. Hopkins moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Morrell
Alario	Farrar	Morrish
Alexander	Faucheux	Odinot
Ansardi	Frith	Pierre
Arnold	Gallot	Pinac
Badon	Geymann	Pitre
Baldone	Glover	Powell, T.
Barrow	Gray	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Bowler	Harris	Robideaux
Bruneau	Heaton	Romero
Burns	Hill	Smiley
Burrell	Honey	Smith, G.
Carter, K.	Hopkins	Smith, J.D.—50th
Carter, R.	Hunter	Smith, J.H.—8th
Crane	Hutter	Smith, J.R.—30th
Cravins	Jackson	St. Germain
Crowe	Jefferson	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaFleur	Townsend
DeWitt	LaFonta	Trahan
Doerge	Lancaster	Triche
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	White
Durand	McVea	Winston
Erdey	Montgomery	Wooton
Total - 87		

NAYS

Beard	Powell, M.	Schneider
LaBruzzo	Scalise	
Total - 5		

ABSENT

Bruce	Hammett	Lambert
Cazayoux	Hebert	Tucker
Chandler	Johns	Walsworth
Dartez	Katz	
Greene	Kennard	
Total - 13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hopkins moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Beard, and under a suspension of the rules, the above roll call was corrected to reflect him as voting nay.

HOUSE BILL NO. 643—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 47:1851(M) and to repeal R.S. 47:1851(G) and (K), relative to ad valorem taxation; to remove gas and pipeline companies from the definition of public service property for purposes of assessment by the Louisiana Tax Commission; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Baldone moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	McDonald
Alario	Erdey	Montgomery
Ansardi	Fannin	Morrell
Arnold	Faucheux	Morrish
Badon	Frith	Odinot
Baldone	Gallot	Pinac
Baudoin	Gray	Quezaire
Baylor	Greene	Ritchie
Bowler	Guillory, M.	Romero
Bruce	Hammett	Smiley
Burrell	Hebert	Smith, J.D.—50th
Carter, R.	Hill	Smith, J.H.—8th
Cazayoux	Honey	Smith, J.R.—30th
Chandler	Hutter	St. Germain
Cravins	Kenney	Thompson
Damico	LaFleur	Townsend
Doerge	LaFonta	Triche
Dorsey	Marchand	Walker
Downs	Martiny	Wooton
Total - 57		

NAYS

Alexander	Heaton	Scalise
Barrow	Hunter	Schneider
Beard	Jackson	Smith, G.
Bruneau	Johns	Strain
Burns	Katz	Toomy
Crane	Lambert	Trahan
Crowe	Lancaster	Tucker
Daniel	McVea	Waddell

Page 24 HOUSE

41st Day's Proceedings - June 8, 2006

DeWitt
Dove
Farrar
Geymann
Guillory, E.
Total - 37

Pierre
Pitre
Powell, M.
Powell, T.
Robideaux

Walsworth
White
Winston

ABSENT

Carter, K.
Curtis
Dartez
Glover
Total - 11

Harris
Hopkins
Jefferson
Kennard

Kleckley
LaBruzzo
Richmond

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

HOUSE BILL NO. 462—

BY REPRESENTATIVE HEBERT

A JOINT RESOLUTION

Proposing to amend Article IV, Sections 15 and 16 of the Constitution of Louisiana, to provide relative to eligibility for candidates for statewide elective office; to provide that persons who are nominated and confirmed to fill a vacancy in the office of lieutenant governor or who fill a vacancy in a statewide elective office as a result of being appointed first assistant shall not be eligible to be a candidate in the next election for such office; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Tucker sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Reengrossed House Bill No. 462 by Representative Hebert

AMENDMENT NO. 1

On page 1, delete lines 5 through 7 and insert the following:

"lieutenant governor; to provide to submission of the proposed amendment to the"

AMENDMENT NO. 2

On page 1, line 12, delete "Sections 15 and 16" and insert "Section 15"

AMENDMENT NO. 3

On page 2, delete lines 1 through 8

AMENDMENT NO. 4

On page 2, line 18, after "governor" delete the remainder of the line and delete lines 19 through 22 and insert "(Amends Article IV, Section 15)"

Motion

On motion of Rep. Hebert, the bill was returned to the calendar.

HOUSE BILL NO. 768—

BY REPRESENTATIVES PINAC, BADON, BARROW, FANNIN, GREENE, HONEY, KENNEY, AND T. POWELL

AN ACT

To enact R.S. 17:170.1, relative to immunizations; to require certain school boards to provide information relative to certain immunizations and diseases; to provide for rules and regulations; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Strain sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Strain to Engrossed House Bill No. 768 by Representative Pinac

AMENDMENT NO. 1

On page 1, change the author from "REPRESENTATIVE PINAC" to "REPRESENTATIVES STRAIN, PINAC"

AMENDMENT NO. 2

On page 1, at the beginning of line 2, after "To" and before "relative" delete "enact R.S. 17:170.1" and insert "amend and reenact Section 2 of the Act which originated as House Bill No. 154 of the 2006 Regular Session of the Legislature and to enact R.S. 17:170.1(F)"

AMENDMENT NO. 3

On page 1, line 2, after "immunizations;" delete the remainder of the line and delete lines 3 and 4 in their entirety and insert "to provide relative to the implementation of the provisions of R.S. 17:170.1 relative to providing documentation of certain immunizations as enacted by the Act which originated as House Bill No. 154 of the 2006 Regular Session of the Legislature; and to provide for related matters."

AMENDMENT NO. 4

On page 1, line 6, after "Section 1." delete the remainder of the line and delete lines 7 through 19 in their entirety and on page 2, delete lines 1 through 15 in their entirety and insert in lieu thereof:

"Section 1. R.S. 17:170.1(F) is hereby enacted to read as follows:

* * *

F.(1) The provisions of this Section shall be implemented according to rules promulgated by the secretary of the Department of Health and Hospitals including an implementation schedule which shall be based on ensuring a sufficient availability of the required vaccine.

(2) The secretary shall establish a priority of cohorts of students who shall be required to be vaccinated in order to minimize the possibility of an outbreak of meningococcal disease. Such priority shall be established in consultation with the Board of Regents.

(3) The first priority cohorts shall be first-time freshmen and students living in on-campus residential facilities. Such students shall be required to present satisfactory evidence of current vaccination beginning with registration for the Fall 2006 semester, quarter, or comparable academic period as provided in this Section unless the secretary determines that an insufficient supply of vaccine

is available. The time by which immunization shall be required for these students in the event of such an insufficient supply and for other cohorts of students to present such evidence to register for classes shall be provided in such schedule.

(4) The secretary of the Department of Health and Hospitals shall provide such rules, including the implementation schedule, to the Board of Regents by not later than August 1, 2006. The Board of Regents shall notify each postsecondary management board and, through such management boards, the chief executive officer of each postsecondary education institution of the requirements of this Section and the rules and schedule for their implementation as provided by this Section.

Section 2. Section 2 of the Act which originated as House Bill No. 154 of the 2006 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

Section 2. The course registration of any person who registered for courses at a public or nonpublic postsecondary education institution for the Fall 2006 semester, quarter, or comparable academic period prior to the effective date of this Act shall not be considered complete or finalized until such person has complied with the provisions of this Act in accordance with the rules and schedule promulgated pursuant to R.S. 17:170.1(F).

Section 3. It is the intent of this Act that R.S. 17:170.1(F) as enacted by this Act shall be incorporated with R.S. 17:170.1 as enacted by the Act which originated as House Bill No. 154 of the 2006 Regular Session of the Legislature. The Louisiana State Law Institute shall be responsible for carrying out this legislative intent."

AMENDMENT NO. 5

On page 2, line 16, after "Section" change "2." to "4."

On motion of Rep. Strain, the amendments were adopted.

Rep. Strain moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Odinot
Alario	Frith	Pierre
Alexander	Gallot	Pinac
Ansardi	Geymann	Pitre
Arnold	Gray	Powell, M.
Badon	Greene	Powell, T.
Baldone	Guillory, E.	Quezaire
Barrow	Guillory, M.	Richmond
Baudoin	Hammett	Ritchie
Beard	Harris	Robideaux
Bowler	Heaton	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.H.—8th
Chandler	Johns	Smith, J.R.—30th
Crane	Katz	St. Germain
Cravins	Kenney	Strain
Crowe	Kleckley	Thompson
Curtis	LaBruzzo	Toomy
Damico	LaFleur	Townsend
Daniel	LaFonta	Trahan
DeWitt	Lambert	Triche

Doerge	Lancaster	Tucker
Dorsey	Marchand	Waddell
Dove	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	

Total - 98

NAYS

Total - 0

ABSENT

Baylor	Glover	Kennard
Burrell	Hebert	
Dartez	Hopkins	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Strain moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1399 (Substitute for House Bill No. 974 by Representative Gray)—

BY REPRESENTATIVE GRAY

AN ACT

To enact Part VIII of Chapter 14 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:5001 through 5005, relative to inclusionary zoning for affordable housing; to authorize and permit any municipality or parish with land use or zoning ordinances or regulations to adopt ordinances for inclusionary zoning for affordable housing; to provide definitions; to provide relative to such ordinances; to provide for reports; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Gray sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Gray to Engrossed House Bill No. 1399 by Representative Gray

AMENDMENT NO. 1

On page 1, line 3, after "through" and before "relative" change "5005," to "5003,"

AMENDMENT NO. 2

On page 1, line 6, after "housing;" delete the remainder of the line and at the beginning of line 7, delete "provide for reports;"

AMENDMENT NO. 3

On page 1, line 10, after "through" and before "is" change "5005," to "5003,"

AMENDMENT NO. 4

On page 1, line 11, after "ZONING" and before "ACT" insert "AND WORKFORCE AFFORDABLE HOUSING"

Page 26 HOUSE

41st Day's Proceedings - June 8, 2006

AMENDMENT NO. 5

On page 1, line 14, after "Zoning" and before "Act" insert "and Workforce Affordable Housing"

AMENDMENT NO. 6

On page 3, delete lines 6 through 29 and delete pages 4 and 5, and on page 6, delete lines 1 through 6

On motion of Rep. Gray, the amendments were adopted.

Rep. Gray moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Martiny
Alario	Faucheux	McDonald
Alexander	Frith	Montgomery
Ansardi	Gallot	Morrell
Arnold	Glover	Morrish
Baldone	Gray	Odinot
Barrow	Guillory, E.	Pierre
Baudoin	Harris	Pinac
Baylor	Heaton	Quezaire
Bruce	Hebert	Richmond
Burrell	Hill	Ritchie
Carter, K.	Honey	Romero
Carter, R.	Hopkins	Smith, G.
Cazayoux	Hunter	Smith, J.D.—50th
Chandler	Hutter	Smith, J.R.—30th
Cravins	Jackson	St. Germain
Curtis	Jefferson	Thompson
Damico	Johns	Townsend
DeWitt	Kenney	Triche
Dorsey	Kleckley	Winston
Downs	LaFleur	Wooton
Durand	LaFonta	
Fannin	Marchand	
Total - 67		

NAYS

Beard	Greene	Schneider
Bowler	Katz	Smiley
Bruneau	LaBruzzo	Smith, J.H.—8th
Crane	Lambert	Strain
Crowe	Lancaster	Trahan
Daniel	McVea	Tucker
Doerge	Pitre	Waddell
Dove	Powell, M.	White
Erdey	Powell, T.	
Geymann	Scalise	
Total - 28		

ABSENT

Badon	Hammett	Walker
Burns	Kennard	Walsworth
Dartez	Robideaux	
Guillory, M.	Toomy	
Total - 10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Gray moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. DeWitt gave notice of his intention to call House Bill No. 1397 from the calendar for future action.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Local and Consent Calendar

SENATE BILL NO. 468—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact Section 3(9)(a) and (b) and (19)(c) and (d) and to enact Section 3(19)(e) of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act No. 570 of the 1992 Regular Session of the Legislature and Act No. 562 of the 2003 Regular Session of the Legislature, relative to St. Tammany Parish Hospital Service Districts Nos. 1 and 2; to provide relative to the authority of the boards to enter into certain employment contracts; and to provide for related matters.

Read by title.

Rep. Winston moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Odinot
Alario	Geymann	Pierre
Alexander	Glover	Pinac
Ansardi	Gray	Pitre
Arnold	Greene	Powell, M.
Baldone	Guillory, E.	Powell, T.
Barrow	Guillory, M.	Quezaire
Baudoin	Hammett	Richmond
Bowler	Harris	Ritchie
Bruce	Heaton	Robideaux
Bruneau	Hebert	Romero
Burns	Hill	Scalise
Carter, K.	Honey	Smiley
Carter, R.	Hopkins	Smith, G.
Cazayoux	Hutter	Smith, J.D.—50th
Chandler	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan
Doerge	LaFonta	Triche
Dorsey	Lambert	Tucker
Dove	Lancaster	Waddell
Downs	Marchand	Walker
Durand	Martiny	Walsworth
Erdey	McDonald	White

Fannin
Farrar
Faucheux
Frith

Total - 97

McVea
Montgomery
Morrell
Morrish

NAYS

Total - 0

ABSENT

Badon
Baylor
Beard

Total - 8

Burrell
Dartez
Hunter

Kennard
Schneider

The Chair declared the above bill was finally passed.

Rep. Winston moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Crowe, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

SENATE BILL NO. 469—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 33:4575, 4575.1(A) and (C) and 4575.3(7) and R.S. 47:322.37(B)(1), relative to recreational facilities; to rename the East St. Tammany Events Center District to the Northshore Harbor Center District; to provide for term limits for members of the board of commissioners; to provide for membership on the board of commissioners; and to provide for related matters.

Read by title.

Rep. Winston moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Gray	Pitre
Baldone	Greene	Powell, M.
Barrow	Guillory, E.	Powell, T.
Baudoin	Guillory, M.	Quezaire
Beard	Hammett	Richmond
Bowler	Harris	Ritchie
Bruce	Heaton	Robideaux
Bruneau	Hebert	Romero
Burns	Hill	Scalise
Carter, K.	Honey	Smiley
Carter, R.	Hopkins	Smith, G.
Cazayoux	Hutter	Smith, J.D.—50th
Chandler	Jackson	Smith, J.H.—8th
Crane	Jefferson	Smith, J.R.—30th
Cravins	Johns	St. Germain
Crowe	Katz	Strain
Curtis	Kenney	Thompson
Damico	Kleckley	Toomy
Daniel	LaBruzzo	Townsend
DeWitt	LaFleur	Trahan

Doerge
Dorsey
Dove
Downs
Durand
Erdey
Fannin
Farrar

Total - 96

LaFonta
Lambert
Lancaster
Martiny
McDonald
McVea
Montgomery
Morrell

NAYS

Total - 0

ABSENT

Badon
Baylor
Burrell

Total - 9

Dartez
Glover
Hunter

Kennard
Marchand
Schneider

The Chair declared the above bill was finally passed.

Rep. Winston moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Crowe, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

SENATE BILL NO. 699—

BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 49:149.61(D)(7), relative to the Rev. Avery C. Alexander Plaza; to extend the existence of the Rev. Avery C. Alexander Memorial Commission; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Jefferson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Morrell
Alario	Geymann	Morrish
Alexander	Glover	Odinot
Ansardi	Gray	Pierre
Arnold	Greene	Pinac
Baldone	Guillory, E.	Pitre
Barrow	Guillory, M.	Powell, M.
Baudoin	Hammett	Powell, T.
Beard	Harris	Quezaire
Bowler	Heaton	Richmond
Bruce	Hebert	Ritchie
Burns	Hill	Robideaux
Carter, K.	Honey	Romero
Carter, R.	Hopkins	Scalise
Cazayoux	Hunter	Smith, G.
Chandler	Hutter	Smith, J.D.—50th
Crane	Jackson	Smith, J.H.—8th
Cravins	Jefferson	Smith, J.R.—30th
Crowe	Johns	St. Germain
Curtis	Katz	Strain
Damico	Kenney	Thompson
DeWitt	Kleckley	Toomy
Doerge	LaBruzzo	Townsend

Page 28 HOUSE

41st Day's Proceedings - June 8, 2006

Dorsey	LaFleur	Trahan
Dove	LaFonta	Triche
Downs	Lambert	Tucker
Durand	Lancaster	Waddell
Erdey	Marchand	Walker
Fannin	Martiny	White
Farrar	McDonald	Winston
Faucheux	McVea	
Frith	Montgomery	
Total - 94		
	NAYS	
Daniel	Smiley	Walsworth
Total - 3		
	ABSENT	
Badon	Burrell	Schneider
Baylor	Dartez	Wooton
Bruneau	Kennard	
Total - 8		

The Chair declared the above bill was finally passed.

Rep. Jefferson moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

Regular Calendar

SENATE BILL NO. 375— BY SENATOR ADLEY

AN ACT

To enact R.S. 29:732.1, relative to contractual relationships; to provide for certain contracts or agreements executed during, or as a result of, a declared state disaster or emergency; to provide certain terms and conditions; to provide for violations of contractual provisions; to provide for an effective date; to provide for certain retroactive application; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Hebert, the bill was returned to the calendar.

SENATE BILL NO. 384— BY SENATOR HOLLIS

AN ACT

To enact R.S. 9:3534.5, relative to the Louisiana Consumer Credit Law; to provide for the assignment of certain debts; to provide for collection of debts owed to a credit grantor; to provide procedures for such collections; to provide for the validity of the debt owed; to provide for definitions; to provide for the registration of collection agencies; to authorize certain registration fees; and to provide for related matters.

Read by title.

Rep. Pinac moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Pierre
Alario	Glover	Pinac
Alexander	Gray	Pitre
Ansardi	Greene	Powell, M.

Arnold	Guillory, E.	Powell, T.
Baldone	Guillory, M.	Quezaire
Barrow	Hammett	Richmond
Baudoin	Harris	Ritchie
Beard	Heaton	Robideaux
Bowler	Hebert	Romero
Bruce	Hill	Scalise
Bruneau	Honey	Schneider
Burns	Hunter	Smiley
Carter, K.	Hutter	Smith, G.
Carter, R.	Jackson	Smith, J.D.—50th
Cazayoux	Jefferson	Smith, J.H.—8th
Chandler	Johns	Smith, J.R.—30th
Cravins	Katz	St. Germain
Crowe	Kenney	Strain
Damico	Kleckley	Thompson
Daniel	LaBruzzo	Toomy
Doerge	LaFonta	Townsend
Dorsey	Lambert	Trahan
Dove	Lancaster	Triche
Downs	Marchand	Tucker
Durand	Martiny	Waddell
Erdey	McDonald	Walker
Fannin	McVea	Walsworth
Farrar	Montgomery	White
Faucheux	Morrell	Winston
Frith	Morrish	Wooton
Gallot	Odinet	
Total - 95		
	NAYS	

DeWitt
Total - 1

ABSENT

Badon	Crane	Hopkins
Baylor	Curtis	Kennard
Burrell	Dartez	LaFleur
Total - 9		

The Chair declared the above bill was finally passed.

Rep. Pinac moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 473— BY SENATOR KOSTELKA

AN ACT

To amend and reenact Section 2 of Act No. 1212 of the 2003 Regular Session of the Legislature; relative to expropriation; to extend the quick-take authority of certain municipalities for certain purposes for three years; and to provide for related matters.

Read by title.

Rep. Downs moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Montgomery
Alario	Faucheux	Morrish
Alexander	Frith	Odinet
Ansardi	Gallot	Pierre
Arnold	Geymann	Pinac
Baldone	Glover	Powell, M.
Barrow	Gray	Powell, T.

Baudoin	Greene	Quezaire
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Ritchie
Bowler	Hammett	Robideaux
Bruce	Harris	Romero
Bruneau	Heaton	Scalise
Burns	Hebert	Smiley
Burrell	Hill	Smith, G.
Carter, K.	Honey	Smith, J.D.—50th
Carter, R.	Hopkins	Smith, J.H.—8th
Cazayoux	Hunter	Smith, J.R.—30th
Chandler	Hutter	St. Germain
Crane	Jefferson	Strain
Cravins	Johns	Thompson
Crowe	Katz	Toomy
Curtis	Kenney	Townsend
Damico	Kleckley	Trahan
Daniel	LaBruzzo	Triche
DeWitt	LaFleur	Tucker
Doerge	LaFonta	Waddell
Dorsey	Lambert	Walker
Dove	Lancaster	Walsworth
Downs	Marchand	White
Durand	Martiny	Winston
Erdey	McDonald	Wooton
Fannin	McVea	

Total - 98

NAYS

Total - 0

ABSENT

Badon	Kennard	Schneider
Dartez	Morrell	
Jackson	Pitre	

Total - 7

The Chair declared the above bill was finally passed.

Rep. Downs moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 529—

BY SENATORS JACKSON AND BAJOE
AN ACT

To enact R.S. 29:766(G) and R.S. 40:2009.25, relative to nursing home emergency preparedness; to provide for the declaration of a state public health emergency; to provide for requirements of emergency preparedness plans in certain parishes; to provide for the evaluation of such plans; to create and provide for the content of the Nursing Home Emergency Preparedness Review Committee; to provide for rules and regulations; to provide for application to existing law; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Winston moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Morrish
Alario	Frith	Odinot
Alexander	Gallot	Pierre
Ansardi	Geymann	Pinac
Arnold	Glover	Pitre

Baldone	Gray	Powell, M.
Barrow	Greene	Powell, T.
Baudoin	Guillory, E.	Quezaire
Baylor	Guillory, M.	Richmond
Beard	Hammett	Ritchie
Bowler	Harris	Robideaux
Bruce	Heaton	Romero
Bruneau	Hebert	Scalise
Burns	Hill	Schneider
Burrell	Honey	Smiley
Carter, K.	Hopkins	Smith, G.
Carter, R.	Hunter	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Chandler	Jackson	Smith, J.R.—30th
Crane	Jefferson	St. Germain
Cravins	Johns	Strain
Crowe	Katz	Thompson
Curtis	Kenney	Toomy
Damico	Kleckley	Townsend
Daniel	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	LaFonta	Tucker
Dorsey	Lambert	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McVea	White
Erdey	Montgomery	Winston
Farrar	Morrell	Wooton

Total - 99

NAYS

Total - 0

ABSENT

Badon	Fannin	Lancaster
Dartez	Kennard	McDonald

Total - 6

The Chair declared the above bill was finally passed.

Rep. Winston moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 552—

BY SENATOR MICHOT
AN ACT

To enact R.S. 51:702(21), (22), and (23), relative to securities; to define certain terms for purposes of the Louisiana Securities Law; and to provide for related matters.

Read by title.

Rep. Robideaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Morrish
Alario	Faucheux	Odinot
Alexander	Frith	Pierre
Ansardi	Gallot	Pinac
Arnold	Geymann	Pitre
Baldone	Gray	Powell, M.
Baudoin	Greene	Powell, T.
Baylor	Guillory, E.	Quezaire
Beard	Guillory, M.	Ritchie
Bowler	Hammett	Robideaux

Page 30 HOUSE

41st Day's Proceedings - June 8, 2006

Bruce	Hebert	Scalise
Bruneau	Hill	Schneider
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.
Carter, K.	Hutter	Smith, J.D.—50th
Carter, R.	Jackson	Smith, J.H.—8th
Cazayoux	Jefferson	Smith, J.R.—30th
Chandler	Johns	St. Germain
Crane	Katz	Strain
Cravins	Kenney	Thompson
Crowe	Kleckley	Toomy
Damico	LaBruzzo	Townsend
Daniel	LaFleur	Triche
DeWitt	LaFonta	Tucker
Doerge	Lambert	Waddell
Dorsey	Lancaster	Walsworth
Dove	Martiny	White
Downs	McDonald	Winston
Durand	McVea	Wooton
Erdey	Montgomery	
Fannin	Morrell	
Total - 91		

NAYS

Total - 0

ABSENT

Badon	Harris	Richmond
Barrow	Heaton	Romero
Curtis	Hunter	Trahan
Dartez	Kennard	Walker
Glover	Marchand	
Total - 14		

The Chair declared the above bill was finally passed.

Rep. Robideaux moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 560— BY SENATOR SCHEDLER

AN ACT

To enact Part X of Title 19 of the Louisiana Revised Statutes of 1950, to be composed of R.S. 19:351 through 355, relative to expropriation of property; to authorize certain parishes to expropriate by a declaration of taking; to define terms; to provide for procedures; to provide for purposes of the expropriation; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Burns moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Pinac
Alario	Faucheux	Pitre
Alexander	Frith	Powell, M.
Ansardi	Gallot	Powell, T.
Arnold	Geymann	Quezaire
Badon	Gray	Ritchie
Baldone	Guillory, M.	Robideaux
Baudoin	Hammatt	Scalise
Beard	Hebert	Smiley
Bowler	Hill	Smith, G.

Bruce	Honey	Smith, J.D.—50th
Bruneau	Hopkins	Smith, J.H.—8th
Burns	Hunter	Smith, J.R.—30th
Carter, K.	Hutter	St. Germain
Carter, R.	Jackson	Strain
Cazayoux	Jefferson	Thompson
Chandler	Katz	Toomy
Crane	Kenney	Townsend
Cravins	LaFleur	Trahan
Crowe	Lambert	Triche
Damico	Lancaster	Tucker
Daniel	Martiny	Waddell
DeWitt	McDonald	Walker
Doerge	McVea	Walsworth
Dove	Montgomery	White
Downs	Morrish	Winston
Durand	Odinot	
Fannin	Pierre	
Total - 82		

NAYS

Guillory, E.
Total - 1

ABSENT

Barrow	Greene	Marchand
Baylor	Harris	Morrell
Burrell	Heaton	Richmond
Curtis	Johns	Romero
Dartez	Kennard	Schneider
Dorsey	Kleckley	Wooton
Erdey	LaBruzzo	
Glover	LaFonta	
Total - 22		

The Chair declared the above bill was finally passed.

Rep. Burns moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Rep. Bruneau, Senate Bill No. 645 was made Special Order of the Day No. 1 for Monday, June 12, 2006.

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

House Bill No. 824

House Bill No. 676

The conference committee reports for the legislative instruments above lie over under the rules.

Suspension of the Rules

On motion of Rep. Burns, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

June 8, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 242
Returned without amendments

House Concurrent Resolution No. 273
Returned without amendments

House Concurrent Resolution No. 274
Returned without amendments

House Concurrent Resolution No. 275
Returned without amendments

House Concurrent Resolution No. 276
Returned without amendments

House Concurrent Resolution No. 278
Returned without amendments

House Concurrent Resolution No. 279
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE BILLS

June 8, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 177
Returned without amendments

House Bill No. 240
Returned with amendments

House Bill No. 466
Returned without amendments

House Bill No. 467
Returned without amendments

House Bill No. 625
Returned without amendments

House Bill No. 699
Returned with amendments

House Bill No. 712
Returned without amendments

House Bill No. 775
Returned without amendments

House Bill No. 814
Returned without amendments

House Bill No. 813
Returned with amendments

House Bill No. 890
Returned without amendments

House Bill No. 1394
Returned with amendments

House Bill No. 1395
Returned with amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

June 8, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 117

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

June 8, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill No. 331

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

**Senate Bills and Joint Resolutions
on First Reading**

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 331—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 14:95(G)(2) and to enact R.S. 40:1379.3.1(A)(3), relative to retired law enforcement officers; to provide for carrying concealed weapons by such persons; to provide for issuance of retiree identification to certain retired law enforcement officers; to provide for payment of concealed handgun permit fees; and to provide for related matters.

Read by title.

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

June 8, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 28, 68, 113, and 122

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

June 8, 2006

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 266, 489, 530, 549, and 566

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Bills and Joint Resolutions contained herein were signed by the Speaker of the House.

**Introduction of Resolutions,
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 94—

BY REPRESENTATIVE HEBERT

A RESOLUTION

To urge and request the Department of Agriculture and Forestry not to implement the minimum ethanol requirements if the requirements will raise the price of gasoline by more than two cents per gallon.

Read by title.

On motion of Rep. Hebert, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 95—

BY REPRESENTATIVE ARNOLD

A RESOLUTION

To amend and readopt House Rule 7.19(E) of the Rules of Order of the House of Representatives to provide that a motion to designate a Senate bill a duplicate is debatable.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 284—

BY REPRESENTATIVE CAZAYOUX AND SENATOR MARIONNEAUX
A CONCURRENT RESOLUTION

To commend and honor the brave men and women of the Louisiana Department of Wildlife and Fisheries, enforcement division, for their response and assistance during Hurricanes Katrina and Rita.

Read by title.

On motion of Rep. Cazayoux, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 285—

BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, GRAY, E. GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, PIERRE, AND QUEZAIRE AND SENATORS BAJOE, BROOME, CRAVINS, DUPLÉSSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD
A CONCURRENT RESOLUTION

To commend the Honorable Arthur A. Morrell and to express enduring gratitude for his outstanding contributions to Orleans Parish and the state of Louisiana, particularly during his twenty-two-year tenure as a distinguished member of the Louisiana House of Representatives.

Read by title.

On motion of Rep. Richmond, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 286—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To create an advisory committee to study water transportation development and expansion in St. Martin Parish including but not limited to identifying the need for such development and expansion and identifying potential funding sources and to make recommendations to the House and Senate Transportation, Highways and Public Works Committees prior to the commencement of the 2007 Regular Session.

Read by title.

On motion of Rep. Durand, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 287—

BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To commend the National Basketball Association for selecting New Orleans as the host of the 2008 NBA All-Star Game Weekend.

Read by title.

On motion of Rep. Scalise, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 288—

BY REPRESENTATIVE JOHNS

A CONCURRENT RESOLUTION

To commend Senator Philip C. Jimeno upon his retirement from the Maryland General Assembly.

Read by title.

On motion of Rep. Johns, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 289—

BY REPRESENTATIVES MONTGOMERY AND QUEZAIRE

A CONCURRENT RESOLUTION

To commend Tommy Henry for his outstanding accomplishments and singular contributions during his long and highly productive term of dedicated service as commissioner of the Louisiana High School Athletic Association.

Read by title.

On motion of Rep. Montgomery, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 290—

BY REPRESENTATIVE CRANE

A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on June 5, 2006.

Read by title.

Lies over under the rules.

House and House Concurrent Resolutions

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 281—

BY REPRESENTATIVE HAMMETT AND SENATOR MICHOT

A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to review the provisions of law regarding criminal trespass as they relate to professional land surveyors and make recommendations to the Louisiana Legislature prior to the 2008 Regular Session.

Called from the calendar.

Read by title.

Under the rules, the above resolution was referred to the Committee on House and Governmental Affairs.

Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

Motion

On motion of Rep. Toomy, the Committee on Judiciary was discharged from further consideration of Senate Bill No. 73.

SENATE BILL NO. 73—

BY SENATOR LENTINI AND REPRESENTATIVE ANSARDI

AN ACT

To enact R.S. 13:5108.3(D), relative to the legal representation of state employees; to provide for representation and indemnification of officers and employees charged with contempt of court; to provide for exceptions; and to provide for related matters.

Read by title.

On motion of Rep. Toomy, the bill was recommitted to the Committee on Civil Law and Procedure.

Motion

On motion of Rep. Toomy, the Committee on Judiciary was discharged from further consideration of Senate Bill No. 569.

SENATE BILL NO. 569—

BY SENATOR MURRAY

AN ACT

To enact R.S. 29:725.1, relative to the authority of the attorney general in certain emergencies; to authorize the issuance of cease and desist orders by the attorney general during an emergency; to provide for the power of the attorney general to issue cease and desist orders when immediate action through the normal judicial process is not possible; to provide for proper venue to request a hearing; and to provide for related matters.

Read by title.

On motion of Rep. Toomy, the bill was recommitted to the Committee on Civil Law and Procedure.

Motion

On motion of Rep. Toomy, the Committee on Judiciary was discharged from further consideration of Senate Bill No. 607.

SENATE BILL NO. 607—

BY SENATORS FONTENOT, ADLEY, BOASSO, CRAVINS, DARDENNE, N. GAUTREAUX, HOLLIS AND QUINN AND REPRESENTATIVES HEBERT, RICHMOND, JACK SMITH AND TRICHE

AN ACT

To amend and reenact R.S. 29:726(E)(20), 729(E)(13), and 733.1 and to enact R.S. 29:726(E)(21) and 729(E)(14), relative to emergency preparedness; to provide additional authorities and responsibilities to the office of homeland security and emergency preparedness and to parish homeland security and emergency preparedness agencies relative to a disaster operation plan for service animals and household pets; to provide for

Page 34 HOUSE

41st Day's Proceedings - June 8, 2006

limitation of liability of emergency personnel and owners and operators of facilities used for shelter of household pets and service animals in emergencies; and to provide for related matters.

Read by title.

On motion of Rep. Toomy, the bill was recommitted to the Committee on Appropriations.

Motion

On motion of Rep. Montgomery, the Committee on Administration of Criminal Justice was discharged from further consideration of Senate Bill No. 695.

SENATE BILL NO. 695—

BY SENATORS CRAVINS AND N. GAUTREAUX
AN ACT

To amend and reenact R.S. 27:392(C)(2) and to enact R.S. 27:361(B)(4)(d), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to further the purposes of the Act by requiring payment of a fixed amount to establish a health and welfare plan for Louisiana jockeys; to provide for the distribution for the Greater New Orleans Sports Foundation Fund; and to provide for related matters.

Read by title.

On motion of Rep. Montgomery, the bill was recommitted to the Committee on Appropriations.

Reports of Committees

The following reports of committees were received and read:

Suspension of the Rules

On motion of Rep. Lancaster, the rules were suspended in order to accept a report from the Committee on House and Governmental Affairs containing Senate Concurrent Resolution No. 76 not listed on the agenda of the committee meeting notice for the meeting held on June 7, 2006.

Report of the Committee on House and Governmental Affairs

June 8, 2006

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 7, 2006, I am directed by your Committee on House and Governmental Affairs to submit the following report:

House Concurrent Resolution No. 263, by Salter
Reported favorably. (7-0)

Senate Concurrent Resolution No. 76, by Dardenne
Reported favorably. (8-0)

Senate Bill No. 81, by Jones
Reported with amendments. (6-0) (Regular)

Senate Bill No. 185, by Shepherd
Reported with amendments. (7-0) (Regular)

Senate Bill No. 194, by Lentini
Reported favorably. (6-0) (Regular)

Senate Bill No. 382, by Dardenne
Reported with amendments. (5-4) (Regular)

Senate Bill No. 422, by Jackson
Reported favorably. (6-0) (Regular)

Senate Bill No. 687, by Dardenne
Reported favorably. (8-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Report of the Committee on Labor and Industrial Relations

June 8, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

Senate Bill No. 700, by C D Jones
Reported favorably. (6-5) (Regular)

Senate Bill No. 753, by Cravins
Reported with amendments. (7-4) (Regular)

WILLIE HUNTER
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Report of the Committee on Retirement

Thursday, June 8, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Retirement to submit the following report:

Senate Bill No. 42, by B. Gautreaux
Reported with amendments. (7-0) (Regular)

Senate Bill No. 62, by B. Gautreaux
Reported favorably. (7-0) (Regular)

Senate Bill No. 183, by B. Gautreaux
Reported favorably. (6-0) (Regular)

Senate Bill No. 184, by B. Gautreaux
Reported favorably. (7-0) (Regular)

Senate Bill No. 262, by B. Gautreaux
Reported favorably. (6-0) (Regular)

Senate Bill No. 316, by B. Gautreaux
Reported with amendments. (8-0) (Regular)

Senate Bill No. 318, by B. Gautreaux
Reported favorably. (8-0) (Regular)

Senate Bill No. 332, by B. Gautreaux
Reported favorably. (7-0) (Regular)

M.P. SCHNEIDER III
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

**Report of the Committee on
Agriculture, Forestry, Aquaculture, and Rural Development**

June 8, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Agriculture, Forestry, Aquaculture, and Rural Development to submit the following report:

House Bill No. 772, by Crowe
Reported with amendments. (9-0) (Regular)

FRANCIS THOMPSON
Chairman

Suspension of the Rules

On motion of Rep. Thompson, the rules were suspended in order to take up House Bills contained in the committee report at this time.

**House Bills and Joint Resolutions on
Second Reading Reported by Committee**

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

HOUSE BILL NO. 772—

BY REPRESENTATIVES CROWE, BRUCE, DOWNS, FRITH, KENNEY,
LAFLEUR, MORRISH, JACK SMITH, AND ST. GERMAIN
AN ACT

To enact R.S. 3:2365, relative to the creation of the Louisiana Pet Registry; to provide for registration requirements; to provide relative to identification numbers; to provide relative to fees; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Original House Bill No. 772 by Representative Crowe

AMENDMENT NO. 1

On page 1, delete line 2 and insert the following:

"To amend and reenact R.S. 29:726(E)(20), 729(E)(13), and 733.1 and to enact R.S. 3:2365 and R.S. 29:726(E)(21) and 729(E)(14), relative to the creation of a pet disaster operation plan and registration system; to provide for the Louisiana Pet Registry; to provide for"

AMENDMENT NO. 2

On page 1, line 4, after "fees;" and before "and" insert the following:

"to provide additional authorities and responsibilities to the office of homeland security and emergency preparedness and to parish homeland security and emergency preparedness agencies relative to a disaster operation plan for service animals and household pets; to

provide for limitation of liability of emergency personnel and owners and operators of facilities used for shelter of household pets and service animals in emergencies;"

AMENDMENT NO. 3

On page 2, line 4, after "animal," delete the remainder of the line and delete lines 5 through 7 in their entirety

AMENDMENT NO. 4

On page 2, after line 13, insert the following:

"Section 2. R.S. 29:726(E)(20), 729(E)(13), and 733.1 are hereby amended and reenacted and R.S. 29:726(E)(21) and 729(E)(14) are hereby enacted to read as follows:

§726. Governor's Office of Homeland Security and Emergency Preparedness; authority and responsibilities

* * *

E. The office shall either directly or through authorized assignment to another state agency or department:

* * *

(20)(a) In consultation with experts in the fields of animal sheltering, veterinary medicine, public health and safety, and other professional and technical personnel deemed appropriate, formulate emergency operation plans for the humane evacuation, transport, and temporary sheltering of service animals and household pets in times of emergency or disaster that:

(i) Require that persons with disabilities who utilize service animals are evacuated, transported, and sheltered with those service animals and inform all facilities that provide shelter to persons with disabilities who are accompanied by their service animals of their legal obligation to provide shelter to both the disabled person and the service animal.

(ii)(aa) Identify or establish, as the case may be, evacuation shelters that are in close proximity to a human sheltering facility designed and equipped to accept and temporarily house the household pets of evacuees and canine search and rescue teams.

(bb) Develop guidelines for such "side by side" shelters which may include standards or criteria for admission to such shelters, health and safety standards, basic minimum animal care standards regarding nutrition, space, hygiene, and medical needs, protocols, and procedures for ensuring adequate sheltering, management, and veterinary staffing for such shelters.

(iii)(aa) Enable, wherever possible, pet and pet-owner evacuations for disabled, elderly, special needs residents, and all other residents whenever such evacuations can be accomplished without endangering human life.

(bb) The office shall establish an identification system to ensure that household pet owners who are separated from their household pets during an evacuation are provided with all information necessary to locate and reclaim such household pet. In establishing such identification system, a tracking number system shall be developed with one number being used exclusively and consistently in association with and for the same household pet until such time as the household pet is reunited with its owner.

(iv) Allow household pets in cages or carriers that safely and securely confine such pets and are specifically designed for the containment and transport of such pets to utilize public transportation during an impending disaster, when doing so does not endanger

Page 36 HOUSE

41st Day's Proceedings - June 8, 2006

human life. If such pets are not allowed to use public transportation, the primary agency designated under the provisions of R.S. 29:729(E)(13)(b)(i) and (ii) is authorized to provide separate transportation for these pets to the shelter in closest proximity to the human sheltering facility in which the animal's owner or custodian will be temporarily housed when such location is known. The office shall, in consultation with the primary agency designated under the provisions of R.S. 29:729(E)(13)(b)(i) and (ii) and other appropriate agencies, develop plans to address the evacuation, transportation, and other needs of those household pets that are not evacuated or transported pursuant to this Item.

(v) Require animal shelters, humane societies, veterinary offices, boarding kennels, breeders, grooming facilities, hospitals, schools, animal testing facilities, and any other businesses or not-for-profit agencies that normally house household pets or service animals to create evacuation plans for such animals consistent with the provisions of this Paragraph. Such plans shall be made available to the public upon request and shall be filed annually with the Louisiana Department of Agriculture and Forestry, office of animal health services and with their respective parish office of homeland security and emergency preparedness.

(vi) Implement a public information program to provide guidance to household pet owners in formulating their own evacuation plans for their household pets and service animals, inform such pet owners of the resources available to assist them in such evacuations, and apprise such pet owners of the location, admission criteria, and other relevant guidelines for the shelters in their area that accept household pets.

(vii) Ensure the primary agency designated under the provisions of R.S. 29:729(E)(13)(b)(i) and (ii) is included in emergency preparedness exercises conducted or arranged through the state or parish government, and that animal rescue, evacuation and sheltering needs of residents with pets are made a part of those exercises.

(b) In creating disaster operation plans for household pets and service animals, the office shall consult with each agency designated by each parish homeland security and emergency preparedness agency to provide evacuation, transportation, and sheltering functions as provided for in R.S. 29:729(E)(13) and shall identify and make available to the public the name and location of facilities that provide temporary sheltering for household pets.

(c) Develop or establish requirements for the authorization and training of volunteer workers to assist the primary agency designated under the provisions of R.S. 29:729(E)(13)(b)(i) and (ii) in carrying out the provisions of this Paragraph.

(d) For the purposes of this Paragraph, "service animal" shall mean any animal that assists or performs tasks for a person with a sensory, emotional, mental, or physical disability.

(e) For the purposes of this Paragraph, "household pet" shall mean any domesticated cat, dog, and other domesticated animal normally maintained on the property of the owner or person who cares for such domesticated animal.

(21) Do other things necessary, incidental, or appropriate for the implementation of this Chapter.

* * *

§729. Parish homeland security and emergency preparedness agency authorities and responsibilities

* * *

E. The parish office of homeland security and emergency preparedness shall:

* * *

(13)(a) In consultation with experts in the fields of animal sheltering, veterinary medicine, public health and safety, and other professional and technical personnel deemed appropriate, formulate emergency operation plans for the humane evacuation, transport, and temporary sheltering of service animals and household pets in times of emergency or disaster that:

(i) Require that persons with disabilities who utilize service animals are evacuated, transported, and sheltered with those service animals and inform all facilities that provide shelter to persons with disabilities who are accompanied by their service animals of their legal obligation to provide shelter to both the disabled person and the service animal.

(ii)(aa) Identify or establish, as the case may be, in conjunction with the state office of homeland security and emergency preparedness, evacuation shelters that are in close proximity to a human sheltering facility designed and equipped to accept and temporarily house the household pets of evacuees and canine search and rescue teams.

(bb) Develop guidelines for such "side by side" shelters which may include standards or criteria for admission to such shelters, health and safety standards, basic minimum animal care standards regarding nutrition, space, hygiene, and medical needs, protocols, and procedures for ensuring adequate sheltering, management, and veterinary staffing for such shelters.

(iii)(aa) Enable, wherever possible, pet and pet-owner evacuations for disabled, elderly, special needs residents, and all other residents whenever such evacuations can be accomplished without endangering human life.

(bb) The office shall establish an identification system to ensure that household pet owners who are separated from their household pets during an evacuation are provided with all information necessary to locate and reclaim such household pet. In establishing such identification system, a tracking number system shall be developed with one number being used exclusively and consistently in association with and for the same household pet until such time as the household pet is reunited with its owner.

(iv) Allow household pets in cages or carriers that safely and securely confine such pets and are specifically designed for the containment and transport of such pets to utilize public transportation during an impending disaster, when doing so does not endanger human life. If such pets are not allowed to use public transportation, the primary agency designated under the provisions of Subparagraph (b) of this Paragraph is authorized to provide separate transportation for these pets to the shelter in closest proximity to the human sheltering facility in which the animal's owner or custodian will be temporarily housed when such location is known. The office shall, in consultation with the primary agency designated under the provisions of Subparagraph (b) of this Paragraph and other appropriate agencies, develop plans to address the evacuation, transportation, and other needs of those household pets that are not evacuated or transported pursuant to this Item.

(v) Establish protocols which require the parish designated animal control, animal sheltering, or animal care agency in each parish to develop a plan for "side by side" evacuation of household pets.

(vi) Require that animal shelters, humane societies, veterinary offices, boarding kennels, breeders, grooming facilities, hospitals, schools, animal testing facilities, and any other businesses or not-for-profit agencies that normally house household pets or service animals, create evacuation plans for such animals consistent with the provisions of this Paragraph. Such plans shall be made available to the public upon request and shall be filed annually with the Louisiana

Department of Agriculture and Forestry, office of animal health services and with their respective parish homeland security and emergency preparedness agency.

(vii) Implement a public information program to provide guidance to household pet owners in formulating their own evacuation plans for their household pets and service animals, inform such pet owners of the resources available to assist them in such evacuations, and apprise such pet owners of the location, admission criteria, and other relevant guidelines for shelters in their area that accept household pets.

(viii) Ensure the primary agency designated under the provisions of R.S. 29:729(E)(13)(b)(i) and (ii) is included in emergency preparedness exercises conducted or arranged through the state or parish government, and that animal rescue, evacuation and sheltering needs of residents with pets are made a part of those exercises.

(b)(i) In creating emergency operation plans pursuant to this Paragraph, the parish office of homeland security and emergency preparedness may delegate any or all of the evacuation, transportation, sheltering, or other functions delineated herein to the agency with authority over animal control or animal related issues in that parish which shall serve as the primary department or local entity, provided that such primary department or local entity may delegate any or all such functions to public or private agencies with expertise in the areas of animal control, animal sheltering, or animal care.

(ii) Any parish office of homeland security and emergency preparedness that chooses to designate a local parish department or local entity as the primary department or entity authorized to coordinate and provide for the evacuation, transportation, or sheltering of household pets and service animals shall provide written notification to the Department of Agriculture and Forestry and the state office of homeland security and emergency preparedness as to the primary department's or entity's physical location and contact information. The Department of Agriculture and Forestry and the state office of homeland security and emergency preparedness shall coordinate with such designated primary department or entity as to their duties relative to the evacuation, transportation, and sheltering of household pets and service animals.

(c) For the purposes of this Paragraph, "service animal" shall mean any animal that assists or performs tasks for a person with a sensory, emotional, mental, or physical disability.

(d) For the purposes of this Paragraph, "household pet" shall mean any domesticated cat, dog, and other domesticated animal normally maintained on the property of the owner or person who cares for such domesticated animal.

(14) Do other things necessary, incidental, or appropriate for the implementation of this Chapter.

* * *

§733.1. Limitation of liability of owner or operator of facilities

Any person or organization, public or private, owning or operating immovable property or other premises who voluntarily and without compensation grants a license or privilege or otherwise permits the designation by the state or local homeland security and emergency preparedness agency or use of the whole or any part of the immovable property or premises for the purpose of sheltering persons or household pets or service animals during an actual, impending, mock, or practice emergency, together with his successor in interest, if any, shall not be liable for the death of, or injury to, any person or household pet, or service animal on or about such immovable property or premises during the actual, impending, mock, or practice emergency, or for loss of, or damage to, the property of

such person, solely by reason or as a result of the license, privilege, designation, or use, unless the gross negligence or the willful and wanton misconduct of the person owning or operating the immovable property or premises or his successor in interest is the proximate cause of the death, injury, loss, or damage occurring during the sheltering period.

Section 3. The provisions of Section 2 of this Act shall become effective if and only if funds for the purposes provided for in Section 2 of this Act are appropriated from the State Emergency Response Fund.

Section 4. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Rep. Thompson, the amendments were adopted.

On motion of Rep. Thompson, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

Privileged Report of the Legislative Bureau

June 8, 2006

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 18
Reported without amendments.

Senate Bill No. 48
Reported without amendments.

Senate Bill No. 86
Reported without amendments.

Senate Bill No. 160
Reported with amendments.

Senate Bill No. 286
Reported without amendments.

Senate Bill No. 411
Reported without amendments.

Senate Bill No. 427
Reported without amendments.

Senate Bill No. 467
Reported without amendments.

Senate Bill No. 476
Reported with amendments.

Senate Bill No. 613
Reported without amendments.

Senate Bill No. 679
Reported without amendments.

Senate Bill No. 691
Reported with amendments.

Page 38 HOUSE

41st Day's Proceedings - June 8, 2006

Senate Bill No. 742
Reported without amendments.

Respectfully submitted,

CHARLES MCDONALD
Chairman

Privileged Report of the Committee on Enrollment

June 8, 2006

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 93— BY REPRESENTATIVE DURAND

A RESOLUTION

To commend Glenda McGee upon her retirement as principal of Parks Primary School and for her outstanding accomplishments during her thirty-eight-year career in the education field and her dedicated service to the St. Martin Parish School System.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 8, 2006

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 5— BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

To urge and request the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary B to meet and function as a joint committee to study and recommend policy directives for the state of Louisiana regarding issues related to juvenile competency, which may include the implementation of a pilot project to develop a process of competency determination, restoration, and mental health intervention, recommendations for a plan of statewide implementation, and determination of the cost of implementation.

HOUSE CONCURRENT RESOLUTION NO. 30— BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

To urge and request the House Committee on Labor and Industrial Relations and the Senate Committee on Labor and Industrial Relations to meet and function as a joint committee to study

domestic abuse and its effect in the workplace and to submit a report of its findings and recommendations to the governor and the legislature prior to the 2007 Regular Session of the Legislature.

HOUSE CONCURRENT RESOLUTION NO. 34— BY REPRESENTATIVE GARY SMITH

A CONCURRENT RESOLUTION

To direct the Department of Environmental Quality and the office of environmental education to cooperate with Keep Louisiana Beautiful, Incorporated to conduct a campaign to educate the public to prevent cigarette litter.

HOUSE CONCURRENT RESOLUTION NO. 69— BY REPRESENTATIVES BURRELL AND GALLOT

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations relative to organizing and improving the procedures for the sale of tax adjudicated properties and to recommend procedures that will ensure merchantable title of tax adjudicated properties.

HOUSE CONCURRENT RESOLUTION NO. 142— BY REPRESENTATIVE BARROW

A CONCURRENT RESOLUTION

To urge and request the Louisiana State University Health Care Services Division to take all necessary measures to name the library located at the Earl K. Long Medical Center or its successor institution in Baton Rouge the "Jane Lambremont LSU Library" in honor of former library director Jane Lambremont.

HOUSE CONCURRENT RESOLUTION NO. 143—

BY REPRESENTATIVES BOWLER, ANSARDI, BADON, BAUDOIN, BRUCE, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DOVE, DOWNS, DURAND, ERDEY, FARRAR, FAUCHEUX, FRITH, E. GUILLORY, HILL, HONEY, KENNEY, LAFLEUR, LAMBERT, MCVEA, MONTGOMERY, ODINET, PIERRE, PITRE, QUEZAIRE, SALTER, GARY SMITH, JANE SMITH, STRAIN, THOMPSON, TOOMY, TRICHE, WALSWORTH, AND WOOTON AND SENATORS LENTINI AND MURRAY

A CONCURRENT RESOLUTION

To urge and request property and casualty insurers to waive any provisions in their policies which limit the time for filing suit against the insurer to twelve months or one year when filing suit on a property damage claim resulting from Hurricane Katrina or Rita.

HOUSE CONCURRENT RESOLUTION NO. 227— BY REPRESENTATIVE WALSWORTH

A CONCURRENT RESOLUTION

To urge and request the governor, the lieutenant governor, the attorney general, the Department of Environmental Quality, the Department of Natural Resource, and the Department of Wildlife and Fisheries to participate in and monitor the activities related to the proposed permitting of the El Dorado Wastewater Effluent Pipeline.

HOUSE CONCURRENT RESOLUTION NO. 236— BY REPRESENTATIVE HEBERT

A CONCURRENT RESOLUTION

To direct the commissioner of insurance to reconsider the decision to allow Louisiana Farm Bureau Mutual Insurance Company to exclude wind and hail coverages from its homeowners' policies.

HOUSE CONCURRENT RESOLUTION NO. 257— BY REPRESENTATIVE HUNTER

A CONCURRENT RESOLUTION

To extend the membership and time frame for completion of the duties of the Workers' Compensation Medical Reimbursement Task Force.

HOUSE CONCURRENT RESOLUTION NO. 269—

BY REPRESENTATIVES SMILEY, LAMBERT, AND QUEZAIRE AND
SENATOR AMEDEE

A CONCURRENT RESOLUTION

To commend Robert J. Cloutre, superintendent of the Ascension Parish school system, upon the occasion of his retirement.

HOUSE CONCURRENT RESOLUTION NO. 270—

BY REPRESENTATIVES GARY SMITH, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CHANDLER, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMAN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON

A CONCURRENT RESOLUTION

To express condolences upon the death of Professor Frederick William "Louisiana" Swaim, Jr. of New Orleans.

HOUSE CONCURRENT RESOLUTION NO. 272—

BY REPRESENTATIVE HILL

A CONCURRENT RESOLUTION

To commend Matthew Shane Emory, the Southwest Louisiana Regional Spelling Bee champion, upon competing in the seventy-seventh annual Scripps National Spelling Bee.

HOUSE CONCURRENT RESOLUTION NO. 277—

BY REPRESENTATIVES DOWNS AND GALLOT AND SENATOR KOSTELKA

A CONCURRENT RESOLUTION

To commend Jerry Drewett upon his retirement as vice president for administrative services at Louisiana Tech University after thirty-four years of service to the university and forty-two years of total state service.

HOUSE CONCURRENT RESOLUTION NO. 280—

BY REPRESENTATIVE WALSWORTH

A CONCURRENT RESOLUTION

To commend Baton Rouge Coca-Cola Bottling Company for celebrating one hundred years in the community.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 8, 2006

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

HOUSE BILL NO. 39—

BY REPRESENTATIVE R. CARTER

AN ACT

To enact R.S. 33:2721.15, relative to the parish of St. Helena; to authorize the governing authority of the parish to levy and collect an additional sales and use tax; to provide for the purpose of the tax; to provide for voter approval; and to provide for related matters.

HOUSE BILL NO. 66—

BY REPRESENTATIVES FANNIN, MCDONALD, AND WALSWORTH

AN ACT

To amend and reenact R.S. 38:3087.135, relative to the Sparta Groundwater Conservation District; to provide for a meeting location; and to provide for related matters.

HOUSE BILL NO. 109—

BY REPRESENTATIVE BRUNEAU AND SENATOR MURRAY

AN ACT

To amend and reenact R.S. 24:51(5) and to enact R.S. 24:56(G) and 58.1, relative to lobbying of the legislature; to provide for the regulation of lobbying of the legislature; to provide for the definition of lobbyist; to provide for certain prohibited conduct; to provide for penalties and remedies, including the defeat or voidability of certain contracts; to provide for enforcement; and to provide for related matters.

HOUSE BILL NO. 226—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:193(A), relative to viatical settlements; to provide relative to the annual statement of viatical settlement transactions required to be submitted to the commissioner of insurance; and to provide for related matters.

HOUSE BILL NO. 241—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 13:3715.1(J), relative to medical records; to add the Louisiana State Board of Physical Therapy Examiners to the list of health care provider licensing boards which are exempt from notice when subpoenaing records; and to provide for related matters.

HOUSE BILL NO. 251—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:191.1(C), relative to viatical settlements; to provide for an annual expiration date for a license as a viatical settlement provider, broker, or investment agent; to provide otherwise with respect to renewal of such licenses; to provide relative to the annual statement required of licensees; and to provide for related matters.

HOUSE BILL NO. 355—

BY REPRESENTATIVES TRICHE, DOERGE, AND DURAND AND
SENATOR LENTINI

AN ACT

To amend and reenact R.S. 46:236.15(C), relative to child support enforcement; to grant limited administrative authority to access certain information; and to provide for related matters.

HOUSE BILL NO. 419 (Duplicate of Senate Bill No. 377)—

BY REPRESENTATIVE QUEZAIRE AND SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 47:820.5(B)(introductory paragraph), relative to tolls on the Greater New Orleans Mississippi River Bridges; to authorize the Crescent City Connection Division to sell Automatic Vehicular Identification tags for use on such bridges; and to provide for related matters.

Page 40 HOUSE

41st Day's Proceedings - June 8, 2006

HOUSE BILL NO. 456—

BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 22:1478, relative to property or casualty insurance; to require that certain bills sent by an insurer to its policyholder for an insurance premium identify the property upon which the premium is due; and to provide for related matters.

HOUSE BILL NO. 510—

BY REPRESENTATIVE BARROW

AN ACT

To enact R.S. 40:5.5.1, relative to food service establishments; to require posting of signs at self-service buffets; and to provide for related matters.

HOUSE BILL NO. 517—

BY REPRESENTATIVE K. CARTER

AN ACT

To enact R.S. 22:1078(B)(22), relative to fees collected by the commissioner of insurance; to provide for a fee for the acceptance of service of process when appointed as agent for a nonresident licensee or a foreign or alien entity; and to provide for related matters.

HOUSE BILL NO. 792—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:213.3, 221(B), 2027(C), and 2059, relative to health and accident insurance policies and health maintenance organization contracts; to provide for a thirty-day grace period prior to cancellation for failure to pay premiums or prepaid charges; to provide for a fifteen-day notice to policyholders, subscribers, or enrollees prior to expiration of the grace period; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 797—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 40:1241(A), relative to public market places; to provide for exemptions for permanent open-air public market buildings; to require the development of food service operational guidelines; and to provide for related matters.

HOUSE BILL NO. 909—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 18:104(A)(16)(introductory paragraph), 115(F)(2)(d)(ii), 132, 133(A), 401.3(D)(4), 425(B)(1), 426(A)(1), 434(B)(7), 441(B)(1), 533(A), 553(B)(1)(b) and (2), 564(D)(2), 571, 572(A)(1), 573(A)(2), 583(D)(1), 601, 654, 1309(B), 1313(F)(1), 1334(heading), 1351(12), 1353(C)(4), and 1355(12), (13), (14), (15), (16), and (17), to enact R.S. 18:18(D), 101.1, 104(G), 115(F)(2)(d)(iii), 152.1, 425(A)(4), 1308.3(C), 1314(F), and 1351(13), and to repeal R.S. 18:1353(C)(5) and 1355(18), relative to the election code; to make changes to the election code; to authorize the secretary of state to enter into certain agreements with other states; to provide for procedures for verification of registration information; to provide relative to the forms of identification an applicant may use when registering to vote; to require the registrar to verify that a displaced person applying to vote absentee by mail has not registered in another jurisdiction; to provide relative to the offices and branch offices of the registrars of voters when an emergency has affected such office; to provide relative to the re-creation of destroyed records of the registrar; to provide relative to procedures for tabulating legislative ballots regarding the secretary of state's emergency plan; to authorize and provide for the use of additional commissioners from other parishes when a parish has a shortage due to an emergency; to provide relative to the requirements for the selection of commissioners; to provide relative to the

requirements to have the political party designation of a candidate on the ballot; to provide for certification of polling places as handicapped accessible; to provide relative to the location of multiple precincts within a polling location; to specify when the filling of an anticipated vacancy is premature; to specify certain requirements for a notice of retirement or resignation to become effective; to provide for the beginning of legislative service for certain purposes; to provide relative to proof of eligibility to vote with assistance; to remove references to voting machines, equipment, and paraphernalia no longer in use; and to provide for related matters.

HOUSE BILL NO. 914—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 22:658(A)(1), relative to payment and adjustment of claims; to provide for the payment of claims; to provide for the notification of insurance producers; and to provide for related matters.

HOUSE BILL NO. 934—

BY REPRESENTATIVES QUEZAIRE, BOWLER, AND HUTTER

AN ACT

To amend and reenact R.S. 32:863(B)(3), (C), and (D)(1) and to enact R.S. 32:863(E), relative to compulsory motor vehicle liability security; to provide for sanctions; to provide for exceptions due to natural disaster; and to provide for related matters.

HOUSE BILL NO. 1001—

BY REPRESENTATIVE GRAY AND SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 39:461.1(A)(2) and to enact Chapter 61 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2771, relative to health care finance; to establish the Care for Evacuated Patients Program to be administered by the Department of Health and Hospitals; to provide a method of payment for the provision of medical care by nonstate hospitals with respect to certain patients who have been evacuated from a state hospital; to provide for the maximum amount and duration of such payments; to require submission of statements of costs for services to the secretary of the Department of Health and Hospitals; to provide for submission of a request for funding the payment of such costs to the Interim Emergency Board; and to provide for related matters.

HOUSE BILL NO. 1003 (Duplicate of Senate Bill No. 546)—

BY REPRESENTATIVE SALTER AND SENATOR MOUNT AND
COAUTHORED BY REPRESENTATIVE SCALISE

AN ACT

To enact R.S. 47:337.9(F), relative to the Uniform Local Sales Tax Code; to exempt purchases of prescription drugs purchased through or pursuant to a Medicare Part D plan; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1137—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 45:844.14(A)(1) and (3)(b) and 844.31(A) and to repeal R.S. 45:844.14(B), relative to telemarketing activities; to provide for the prohibition of telephonic solicitation during a state of emergency; to provide for exceptions; to delete the requirement that a telephone subscriber who has requested a private or unlisted number be placed on the do not call list; to provide solicitors the option to provide a surety bond upon registration; to delete requirement that persons who sell, lease, or rent telephonic solicitation listings include numbers appearing on the "do not call" listing; and to provide for related matters.

HOUSE BILL NO. 1185—

BY REPRESENTATIVES DOVE, BALDONE, BURRELL, CRAVINS, CROWE, CURTIS, DARTEZ, DORSEY, DOWNS, DURAND, ERDEY, FANNIN, FAUCHEUX, FRITH, GEYMAN, HEBERT, LABRUZZO, LANCASTER, MCDONALD, ODINET, PITRE, T. POWELL, RITCHIE, GARY SMITH, JACK SMITH, JANE SMITH, STRAIN, TOWNSEND, TRAHAN, WADDELL, AND WHITE AND SENATORS DUPRE AND N. GAUTREAUX

AN ACT

To enact R.S. 40:1730.23(D), relative to local enforcement of building codes; to provide for plans stamped by an architect or engineer; to provide for an effective period; and to provide for related matters.

HOUSE BILL NO. 1193—

BY REPRESENTATIVES BALDONE, KATZ, AND MCDONALD AND SENATORS CHEEK AND DUPRE

AN ACT

To amend and reenact Children's Code Article 1131(E)(1), relative to adoptions; to authorize state police to conduct records checks; and to provide for related matters.

HOUSE BILL NO. 1205—

BY REPRESENTATIVES ST. GERMAIN AND BURNS

AN ACT

To amend and reenact R.S. 42:1123(36)(a), relative to ethics; to provide for the amount of certain specified disaster aid or relief a public employee is allowed to receive; and to provide for related matters.

HOUSE BILL NO. 1241—

BY REPRESENTATIVE BALDONE AND SENATOR DUPRE

AN ACT

To enact R.S. 44:4(41), relative to information pertaining to the credit card of a public body; to make confidential information related to a credit card issued to a public body that would enable a third person to use the credit card or access the credit card account; and to provide for related matters.

HOUSE BILL NO. 1254—

BY REPRESENTATIVES DURAND AND KATZ AND SENATOR JACKSON

AN ACT

To amend and reenact R.S. 40:2844(B)(introductory paragraph) and (C)(1) and (2) and to enact R.S. 40:2844(B)(17) through (20) and 2844(E), relative to the Louisiana Emergency Response Network Board; to provide for the addition of members; and to provide for related matters.

HOUSE BILL NO. 1265—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact R.S. 40:1749.13(E), relative to underground utilities and facilities damage prevention; to provide for a longer notification period before excavation in certain areas of the state; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1272—

BY REPRESENTATIVES JOHNS AND SCALISE

AN ACT

To enact R.S. 22:1478, relative to property insurance; to provide for insurer-produced written catastrophe response plans; to provide that the catastrophe plan describe each insurer's response to catastrophes affecting insureds; and to provide for related matters.

HOUSE BILL NO. 1298—

BY REPRESENTATIVES DOVE, BALDONE, BAYLOR, BOWLER, BURRELL, R. CARTER, CURTIS, DARTEZ, DORSEY, FANNIN, FAUCHEUX, FRITH, HEBERT, JOHNS, LABRUZZO, MCDONALD, MORRISH, PITRE, T. POWELL, SCHNEIDER, JACK SMITH, JANE SMITH, TOWNSEND, TRAHAN, TRICHE, WALKER, AND WHITE AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 40:1730.23(C), relative to enforcement of building codes by third-party providers who contract with a

parish or municipality; to provide for limitation of liability; and to provide for related matters.

HOUSE BILL NO. 1321—

BY REPRESENTATIVE DORSEY AND SENATOR JACKSON

AN ACT

To amend and reenact R.S. 40:2116(B)(1) and to enact Part V-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2163.1 through 2163.8, relative to adult residential care providers; to provide for purpose and definitions; to provide licensure, rules, regulations, standards, and fees; to provide for license issuance, inspection, and on-site application; to provide for operation without a license and penalties; to provide for community service provider fees and their disposition; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1325—

BY REPRESENTATIVE BURRELL

AN ACT

To amend and reenact R.S. 39:1503.1(A)(introductory paragraph) and R.S. 51:941(3) and to enact R.S. 51:946, 947, and 1926(A)(5), relative to economic development; to provide for a definition of "small and emerging business"; to provide for the mentor-protégé program; to provide for legislative findings; to provide for executive branch agency participation; to provide for certain qualified investments by certified capital companies; to provide for the purpose of such investments; to provide for the powers and duties of the commissioner; and to provide for related matters.

HOUSE BILL NO. 1328—

BY REPRESENTATIVE KATZ

AN ACT

To amend and reenact Section 2 of Act No. 1118 of the 1995 Regular Session of the Legislature, relative to tax increment financing; to provide that the prohibition regarding the use of state sales tax increments shall not apply to a project expansion or extension of the use of state sales tax for certain economic development projects or programs; and to provide for related matters.

HOUSE BILL NO. 1368 (Substitute for House Bill No. 790 by Representative Labruzzo)—

BY REPRESENTATIVE LABRUZZO

AN ACT

To enact R.S. 22:1477(B)(5), relative to homeowners' insurance; to provide for disclosure of the possibility of increasing the deductible and lowering the potential cost paid; and to provide for related matters.

HOUSE BILL NO. 1370 (Substitute for House Bill No. 1099 by Representative Gray)—

BY REPRESENTATIVE GRAY AND SENATOR CHEEK

AN ACT

To enact Subpart D-1 of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 46:286.2 through 286.4, relative to the Foster Parents' Bill of Rights; to provide for purpose; to provide for the rights of foster parents; and to provide for related matters.

HOUSE BILL NO. 1377 (Substitute for House Bill No. 502 by Representative Pinac)—

BY REPRESENTATIVE PINAC

AN ACT

To enact Chapter 4-C of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:781 through 822, and to repeal Chapter 4-A of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:751 through 766, and Chapter 4-B of Title 32 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:771 through 780, relative to the Louisiana Recreational and Used Motor Vehicle Commission; to provide

Page 42 HOUSE

41st Day's Proceedings - June 8, 2006

for definitions; to provide for jurisdiction and authority; to provide for appointment and the powers and duties of the commission; to provide for licensing requirements for dealers; to provide for injunctions; to provide for penalties; to provide for application and bond requirements for a used motor vehicle dealer license; to provide for suspension or revocation of license; to provide for rent with option-to-purchase program; to provide for water-damaged vehicles; to provide for prohibition of black market sales; to provide for licensing requirements for dismantlers, parts recyclers, used parts dealers, and motor vehicle crushers; to provide for suspension of licenses; to provide for requirement to keep records; to provide for transfers of title; to provide for salvage pools; to provide for salvage dealers; to provide for requirements for recreational product dealers and manufacturers; to provide for unlawful acts and suspension of license; to provide for indemnity requirements; to provide for areas of responsibility; to provide for repurchase requirements; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Suspension of the Rules

On motion of Rep. Alario, the rules were suspended to permit the Committee on Appropriations to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill Nos. 94, 486, 607, and 695

Suspension of the Rules

On motion of Rep. Ansardi, the rules were suspended to permit the Committee on Civil Law and Procedure to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill Nos. 73 and 569

Leave of Absence

Rep. Kennard - 1 day

Rep. Dartez - 1 day

Adjournment

On motion of Rep. Kenney, at 5:11 P.M., the House agreed to adjourn until Monday, June 12, 2006, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Monday, June 12, 2006.

ALFRED W. SPEER
Clerk of the House

COMMITTEE MEETING NOTICES

Committee on Administration of Criminal Justice

Will meet at: 1:00 P.M. Date: June 13, 2006

Location: Committee Room 6

SB 47 NEVERS MOTOR VEHICLES Creates and provides for the DWI license plate. (2/3-CA7s2.1(A))

SB 523 SHEPHERD CRIMINAL PROCEDURE Requires registration and public notice for identity theft offenders.

DANIEL R. MARTINY
Chairman

Committee on Appropriations

Will meet at: 12:00 P.M.(TBA) Date: June 12, 2006

Location: Committee Room 5

HB 695 CROWE FUNDS/FUNDING Provides relative to the Sex Offender Registry Technology Fund

HB 708 MONTGOMERY FUNDS/FUNDING Provides funding for the Louisiana Racing Commission

SB 94 MICHOT (TBA) ECONOMIC DEVELOPMENT Adds multi-family housing business enterprises to the list of businesses eligible for the Louisiana Enterprise Zone Act.(**SUBJECT TO RULE SUSPENSION**)

SB 486 JACKSON, L. (TBA) APPROPRIATIONS Provides relative to the contents and format of the executive budget. (7/1/06) (**SUBJECT TO RULE SUSPENSION**)

SB 607 FONTENOT (TBA) EMERGENCY PREPAREDNESS Provides relative to a disaster operation plan for service animals and household pets. (gov sig) (**SUBJECT TO RULE SUSPENSION**)

SB 695 CRAVINS (TBA) GAMING Dedicates a portion of revenues derived from the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act to a health and welfare plan for Louisiana jockeys. (gov sig) (**SUBJECT TO RULE SUSPENSION**)

JOHN A. ALARIO, JR.
Chairman

Committee on Civil Law and Procedure

Will meet at: 11:00 A.M. Date: June 12, 2006

Location: Committee Room 2

SB 73 LENTINI (TBA) CRIMINAL PROCEDURE Provides for representation to state employees in criminal cases. (gov sig) (**Subject to Rule Suspension**)

SB 328 MARIONNEAUX MALPRACTICE Repeals certain limitations relative to health care provider-patient privilege and a patient's medical information in medical malpractice claims.

SB 569 MURRAY (TBA) ATTORNEY GENERAL Authorizes the attorney general to issue cease and desist orders during a state of emergency. (2/3 - ca7s2.1(A)) (**Subject to Rule Suspension**)

GLENN ANSARDI
Chairman

Committee on Environment

Will meet at: 9:30 A.M. Date: June 12, 2006

Location: Committee Room 4

HCR 268 GLOVER ENVIRONMENT/AIR Directs several state departments to investigate air quality at Louisiana Proteins, Inc.

SB 718 CHAISSON ENVIRONMENTAL CONTROL Provide relative to certain parish landfills. (gov sig)

SB 726 MARIONNEAUX ENVIRONMENTAL CONTROL Provides minimum payments to a permitted waste tire processing facility for waste tire material. (gov sig)

N. J. DAMICO
Chairman

Committee on Judiciary

Will meet at: UPON ADJOURNMENT Date: June 8, 2006

Location: Committee Room 1

HB 868 TOOMY (TBA) PUBLIC CONTRACTS Provides relative to cooperative endeavors and contracts for services (**Subject to Rule Suspension**)

SB 496 THEUNISSEN MILITARY AFFAIRS Provides for legal representation of certain servicemen involving enforcement under the Servicemembers Civil Relief Act.

SB 739 BOASSO TELECOMMUNICATIONS Provides a governance structure for planning, implementing, and maintaining a Statewide Communications Interoperability Plan. (gov sig)

JOSEPH F. TOOMY
Chairman

Weekly Committee Schedules

The following committees posted weekly committee schedules as follows:

REVISED

Weekly Committee Schedule

HOUSE OF REPRESENTATIVES

Committee on Health and Welfare

Tuesday, June 13, 2006
Committee Room No. 5
9:30 A.M.

INSTRUMENTS TO BE HEARD:

SCR 112 LENTINI HEALTH CARE Increases membership and requires report of the Implementation Team of the Louisiana Commission on Decision-Making of Persons with Cognitive Disabilities.

SB 754 CRAVINS HEALTH/HOSPITALS DEPT Establishes the adult day health care program in the DHH division of Long-Term Care Supports and

Services/Health Standards Unit as a state plan option entitlement program. (gov sig)

Presentation by Kay Iles concerning the Governor's Program on Abstinence.

SYDNIE MAE DURAND
Chairman

Weekly Committee Schedule

HOUSE OF REPRESENTATIVES

Committee on House and Governmental Affairs

Tuesday, June 13, 2006
Committee Room No. 2
10:00 A.M.

INSTRUMENTS TO BE HEARD:

SCR 105 JONES SECRETARY OF STATE Directs the secretary of state to assess the steps that need to be taken to provide for satellite voting on election day for displaced voters and to provide a report on the requirements to the legislature.

SB 597 DARDENNE SECRETARY OF STATE Provides means to shield address of registered voters who are victims of abuse.

HR 11 HEBERT HOUSE/RULES Provides that the motion for final passage, to concur in Senate amendments, or to adopt a conference committee report on the Capital Outlay Bill is not in order under certain circumstances

HR 14 HEBERT HOUSE/RULES Provides for the membership of the conference committee on the General Appropriation Bill and on the Capital Outlay

HR 31 HEBERT HOUSE/RULES Provides for the membership of the Committee on Appropriations

CHARLES D. LANCASTER, JR.
Chairman

Weekly Committee Schedule

HOUSE OF REPRESENTATIVES

Committee on Natural Resources

Tuesday, June 13, 2006
Committee Room No. 4
10:30 A.M.

INSTRUMENTS TO BE HEARD:

SB 676 HINES WATER/WATERWAYS Extends the northern boundary of the Atchafalaya Basin.

Consideration of the sale by the Louisiana State Board of Elementary and Secondary Education of an 8 acre vacant land site located on Highway (spur) 70 Paincourtville, Louisiana, Assumption Parish

Status report from the Atchafalaya Basin Program

WILFRED PIERRE
Chairman

Page 44 HOUSE

41st Day's Proceedings - June 8, 2006

THESE SCHEDULES ARE TENTATIVE ONLY. LEGISLATIVE INSTRUMENTS
MAY BE ADDED OR DELETED PRIOR TO MEETING DATE. SEE THE DAILY
NOTICE OF COMMITTEE MEETINGS POSTED PRIOR TO MEETING DATE.
